



The Journal OF THE *House of Representatives*

Number 34

Wednesday, April 24, 2013

The House was called to order by the Speaker at 10:30 a.m.

Prayer

The following prayer was offered by Chaplain Patti Warner of First Baptist of Cocoa in Cocoa Beach, upon invitation of Speaker-designate Crisafulli:

We come to You this day grateful, Heavenly Father, for Your providence and all-knowing power. May we be worthy of Your presence at these proceedings. Help us to embrace wisdom, knowledge, and courage as we make choices in the best interest of our cities and the great state of Florida. If we must quarrel, let it be politely and always for the better good of the people. As we have heard, Lord, the challenge of leadership is to be strong, but not rude, be kind but not weak, be bold but not bully, be thoughtful but not lazy, be humble but not timid, be proud but not arrogant, and have humor but without folly. Shall we be called to do any less? Help us to never fall so far that, with Your guidance, we cannot get back to where we need to be. We thank You, Lord, for our military. Our daily battles are nothing compared to those that are being fought by our brave defenders. Keep them safe as we declare 'O beautiful, for patriot dreams.' As evil besets us and we are assailed on all sides, help us not to despair, as we claim Your holy word which tells us You are ultimately in control. Our reliance is upon You to subdue those who threaten our freedoms. Help us to live as examples of ones who love and protect liberty. Abide in this House as we assemble for those duties entrusted to us by the good people of the state of Florida. Bless each member of this House, those they love, and those they pray for. God bless America. We decree it and we declare it in Your name with praise and adoration. Amen and shalom.

The following members were recorded present:

Session Vote Sequence: 197

Speaker Weatherford in the Chair.

| | | | |
|---------------|-------------|-------------|-----------|
| Adkins | Clarke-Reed | Fitzenhagen | Jones, M. |
| Ahern | Clelland | Fresen | Jones, S. |
| Albritton | Coley | Fullwood | Kerner |
| Antone | Combee | Gaetz | La Rosa |
| Artiles | Corcoran | Gibbons | Lee |
| Baxley | Crisafulli | Gonzalez | Magar |
| Berman | Cruz | Goodson | Mayfield |
| Beshears | Cummings | Grant | McBurney |
| Bileca | Danish | Hager | McGhee |
| Boyd | Davis | Harrell | McKeel |
| Bracy | Diaz, J. | Holder | Metz |
| Brodeur | Diaz, M. | Hood | Moraitis |
| Broxson | Dudley | Hooper | Moskowitz |
| Caldwell | Eagle | Hudson | Nelson |
| Campbell | Edwards | Hutson | Nuñez |
| Castor Dentel | Fasano | Ingram | Oliva |

| | | | |
|-----------|---------------------|----------|--------------|
| O'Toole | Rangel | Santiago | Tobia |
| Pafford | Raschein | Saunders | Torres |
| Passidomo | Raulerson | Schenck | Trujillo |
| Patronis | Ray | Schwartz | Van Zant |
| Perry | Reed | Slosberg | Waldman |
| Peters | Rehwinkel Vasilinda | Smith | Watson, B. |
| Pigman | Renuart | Spano | Watson, C. |
| Pilon | Richardson | Stafford | Weatherford |
| Porter | Roberson, K. | Stark | Williams, A. |
| Powell | Rodrigues, R. | Steube | Wood |
| Precourt | Rodriguez, J. | Stewart | Workman |
| Pritchett | Rogers | Stone | Young |
| Raburn | Rooney | Taylor | Zimmermann |
| Rader | Rouson | Thurston | |

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Allie Lile of Naples at the invitation of Rep. Raburn; Hannah McDonald of Tallahassee at the invitation of the Speaker; Kelsea Peacock of Orlando at the invitation of Rep. Stewart; and Amanda Perry of Gainesville at the invitation of Rep. Perry.

House Physician

The Speaker introduced Dr. Henry M. Kurban of Port Charlotte, who served in the Clinic today upon invitation of Rep. Roberson.

Correction of the *Journal*

The *Journal* of Tuesday, April 23, 2013, was corrected and approved as corrected.

Reports of Standing Committees and Subcommittees

Reports of the Rules & Calendar Committee

The Honorable Will Weatherford
Speaker, House of Representatives

April 22, 2013

Dear Mr. Speaker:

Your Rules & Calendar Committee herewith submits the Special Order for Wednesday, April 24, 2013. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/CS/HB 49 - Judiciary Committee, Criminal Justice Subcommittee, & others
Retail Sale of Smoking Devices

CS/CS/HB 85 - Appropriations Committee, Government Operations Subcommittee, & others
Public-Private Partnerships

CS/HB 109 - State Affairs Committee, Young, & others
Consumptive Use Permits for Development of Alternative Water Supplies

CS for SB 364 - Community Affairs, Hays
Consumptive Use Permits for Development of Alternative Water Supplies

CS/CS/HB 159 - Justice Appropriations Subcommittee, Criminal Justice Subcommittee, & others
Sentencing for Controlled Substance Violations

CS/CS/CS/HB 487 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Specialty License Plates/Freemasonry

CS/HB 903 - Civil Justice Subcommittee, Davis, & others
Adverse Possession

CS/HB 969 - Health Quality Subcommittee, Raburn, & others
Recreational Vehicle Parks

CS/CS/CS/HB 999 - State Affairs Committee, Agriculture & Natural Resources Appropriations Subcommittee, & others
Environmental Regulation

CS/HM 1087 - Local & Federal Affairs Committee, Santiago, & others
United States 65th Infantry Regiment, the Borinqueneers

SM 1266 - Soto, Gaetz, & others
United States 65th Infantry Regiment, the Borinqueneers

HM 1253 - Diaz, J., Raschein
Importation of Queen Conch

CS/HB 7025 - Regulatory Affairs Committee, Business & Professional Regulation Subcommittee, & others
Timeshares

HB 7103 - Healthy Families Subcommittee, Harrell
Cross-Over Youth

CS/HB 7119 - Judiciary Committee, Business & Professional Regulation Subcommittee, & others
Homeowners' Associations

CS/HB 7121 - Justice Appropriations Subcommittee, Judiciary Committee, & others
Inmate Reentry

CS/CS/HB 7125 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Department of Highway Safety & Motor Vehicles

CS/CS/HB 7127 - Economic Affairs Committee, Transportation & Economic Development Appropriations Subcommittee, & others
Department of Transportation

CS/HB 7131 - State Affairs Committee, Ethics & Elections

Subcommittee, & others
Ethics

CS for SB 2 - Rules, Ethics and Elections, & others
Ethics

HB 7133 - Ethics & Elections Subcommittee, Boyd
Public Records and Meetings

CS for SB 4 - Governmental Oversight and Accountability, Ethics and Elections
Public Records and Meetings/Commission on Ethics

HB 7157 - Rulemaking Oversight & Repeal Subcommittee, Santiago
Ratification of Rules Implementing Total Maximum Daily Loads for Impaired Water Bodies

CS/HB 135 - Economic Development & Tourism Subcommittee, Goodson
Spaceport Territory

CS/CS/CS/HB 321 - Economic Affairs Committee, Finance & Tax Subcommittee, & others
Community Development

CS/CS/CS/HB 785 - Judiciary Committee, Justice Appropriations Subcommittee, & others
Restitution for Juvenile Offenses

CS/CS/HB 7083 - Judiciary Committee, Justice Appropriations Subcommittee, & others
Death Penalty

CS/CS/CS/HB 1125 - Judiciary Committee, Local & Federal Affairs Committee, & others
Employers and Employees

CS/CS/HB 229 - Judiciary Committee, Civil Justice Subcommittee, & others
Land Trusts

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Robert C. Schenck, Chair
Rules & Calendar Committee

On motion by Rep. Schenck, the above report was adopted.

Motion

On motion by Rep. Schenck, the House agreed to advance to the order of business of—

Special Orders

On motion by Rep. Schenck, the House agreed to advance to **CS/HB 7131** and **HB 7133** and their Senate companions and then return to the original order of the Special Order Calendar.

CS/HB 7131 was taken up. On motion by Rep. Boyd, the House agreed to substitute CS for SB 2 for CS/HB 7131 and read CS for SB 2 the second time by title. Under Rule 5.13, the House Bill was laid on the table.

CS for SB 2—A bill to be entitled An act relating to ethics; amending s. 112.312, F.S.; revising definitions; creating s. 112.3125, F.S.; defining the term "public officer"; prohibiting public officers from accepting additional

employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a period of 2 years following vacation of office; providing exceptions; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within the first 2 years after vacation of office under specified conditions; establishing filing requirements for a sworn statement; creating s. 112.3142, F.S.; defining the term "constitutional officers"; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions for "principal" and "special private gain or loss"; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for "electronic filing system"; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission's proposal; amending s. 112.3145, F.S.; revising the definitions of "local officer" and "specified state employee"; revising procedures for the filing of a statement of financial interests with a candidate's qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified

conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; requiring the commission to determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to political committees and committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee or committee of continuous existence; prohibiting a political committee or committee of continuous existence from giving any gift to a reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; requiring the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s.

286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; correcting a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; correcting cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

—was read the second by title.

Representative Boyd offered the following:

(Amendment Bar Code: 005347)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) of section 112.312, Florida Statutes, is amended to read:

112.312 Definitions.—As used in this part and for purposes of the provisions of s. 8, Art. II of the State Constitution, unless the context otherwise requires:

(5) "Business entity" means any corporation, partnership, limited partnership, company, limited liability company, proprietorship, firm, enterprise, franchise, association, self-employed individual, or trust, whether fictitiously named or not, doing business in this state.

(12)

(b) "Gift" does not include:

1. Salary, benefits, services, fees, commissions, gifts, or expenses associated primarily with the donee's employment, business, or service as an officer or director of a corporation or organization.

2. Except as provided in s. 112.31485, contributions or expenditures reported pursuant to chapter 106, contributions or expenditures reported pursuant to federal election law, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party or affiliated party committee.

3. An honorarium or an expense related to an honorarium event paid to a person or the person's spouse.

4. An award, plaque, certificate, or similar personalized item given in recognition of the donee's public, civic, charitable, or professional service.

5. An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.

6. The use of a public facility or public property, made available by a governmental agency, for a public purpose.

7. Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business.

8. Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

Section 2. Section 112.3125, Florida Statutes, is created to read:

112.3125 Dual public employment.—

(1) As used in this section, the term "public officer" includes any person who is elected to state or local office or, for the period of his or her candidacy, any person who has qualified as a candidate for state or local office.

(2) A public officer may not accept public employment with the state or any of its political subdivisions if the public officer knows, or with the exercise of reasonable care should know, that the position is being offered by the

employer for the purpose of gaining influence or other advantage based on the public officer's office or candidacy.

(3) Any public employment accepted by a public officer must meet all of the following conditions:

(a)1. The position was already in existence or was created by the employer without the knowledge or anticipation of the public officer's interest in such position;

2. The position was publicly advertised;

3. The public officer was subject to the same application and hiring process as other candidates for the position; and

4. The public officer meets or exceeds the required qualifications for the position.

(4) A person who was employed by the state or any of its political subdivisions before qualifying as a public officer for his or her current term of office or the next available term of office may continue his or her employment. However, he or she may not accept promotion, advancement, additional compensation, or anything of value that he or she knows, or with the exercise of reasonable care should know, is provided or given as a result of his or her election or position, or that is otherwise inconsistent with the promotion, advancement, additional compensation, or anything of value provided or given an employee who is similarly situated.

(5) This section may not be interpreted as authorizing employment that is otherwise prohibited by law.

Section 3. Paragraph (a) of subsection (9) of section 112.313, Florida Statutes, is amended to read:

112.313 Standards of conduct for public officers, employees of agencies, and local government attorneys.—

(9) POSTEMPLOYMENT RESTRICTIONS; STANDARDS OF CONDUCT FOR LEGISLATORS AND LEGISLATIVE EMPLOYEES.—

(a)1. It is the intent of the Legislature to implement by statute the provisions of s. 8(e), Art. II of the State Constitution relating to legislators, statewide elected officers, appointed state officers, and designated public employees.

2. As used in this paragraph:

a. "Employee" means:

(I) Any person employed in the executive or legislative branch of government holding a position in the Senior Management Service as defined in s. 110.402 or any person holding a position in the Selected Exempt Service as defined in s. 110.602 or any person having authority over policy or procurement employed by the Department of the Lottery.

(II) The Auditor General, the director of the Office of Program Policy Analysis and Government Accountability, the Sergeant at Arms and Secretary of the Senate, and the Sergeant at Arms and Clerk of the House of Representatives.

(III) The executive director and deputy executive director of the Commission on Ethics.

(IV) An executive director, staff director, or deputy staff director of each joint committee, standing committee, or select committee of the Legislature; an executive director, staff director, executive assistant, analyst, or attorney of the Office of the President of the Senate, the Office of the Speaker of the House of Representatives, the Senate Majority Party Office, Senate Minority Party Office, House Majority Party Office, or House Minority Party Office; or any person, hired on a contractual basis, having the power normally conferred upon such persons, by whatever title.

(V) The Chancellor and Vice Chancellors of the State University System; the general counsel to the Board of Governors of the State University System; and the president, provost, vice presidents, and deans of each state university.

(VI) Any person, including an other-personal-services employee, having the power normally conferred upon the positions referenced in this subparagraph.

b. "Appointed state officer" means any member of an appointive board, commission, committee, council, or authority of the executive or legislative branch of state government whose powers, jurisdiction, and authority are not solely advisory and include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relative to its internal operations.

c. "State agency" means an entity of the legislative, executive, or judicial branch of state government over which the Legislature exercises plenary budgetary and statutory control.

3.a. No member of the Legislature, appointed state officer, or statewide elected officer shall personally represent another person or entity for compensation before the government body or agency of which the individual was an officer or member for a period of 2 years following vacation of office. No member of the Legislature shall personally represent another person or entity for compensation during his or her term of office before any state agency other than judicial tribunals or in settlement negotiations after the filing of a lawsuit.

b. For a period of 2 years following vacation of office, a former member of the Legislature may not act as a lobbyist for compensation before an executive branch agency, agency official, or employee. The terms used in this subparagraph have the same meanings as provided in s. 112.3215.

4. An agency employee, including an agency employee who was employed on July 1, 2001, in a Career Service System position that was transferred to the Selected Exempt Service System under chapter 2001-43, Laws of Florida, may not personally represent another person or entity for compensation before the agency with which he or she was employed for a period of 2 years following vacation of position, unless employed by another agency of state government.

5. Any person violating this paragraph shall be subject to the penalties provided in s. 112.317 and a civil penalty of an amount equal to the compensation which the person receives for the prohibited conduct.

6. This paragraph is not applicable to:

- a. A person employed by the Legislature or other agency prior to July 1, 1989;
- b. A person who was employed by the Legislature or other agency on July 1, 1989, whether or not the person was a defined employee on July 1, 1989;
- c. A person who was a defined employee of the State University System or the Public Service Commission who held such employment on December 31, 1994;
- d. A person who has reached normal retirement age as defined in s. 121.021(29), and who has retired under the provisions of chapter 121 by July 1, 1991; or

e. Any appointed state officer whose term of office began before January 1, 1995, unless reappointed to that office on or after January 1, 1995.

Section 4. Section 112.3142, Florida Statutes, is created to read:

112.3142 Ethics training for specified constitutional officers.—

(1) As used in this section, the term "constitutional officers" includes the Governor, the Lieutenant Governor, the Attorney General, the Chief Financial Officer, the Commissioner of Agriculture, state attorneys, public defenders, sheriffs, tax collectors, property appraisers, supervisors of elections, clerks of the circuit court, county commissioners, district school board members, and superintendents of schools.

(2)(a) All constitutional officers must complete 4 hours of ethics training annually that addresses, at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subjects are covered.

(b) The commission shall adopt rules establishing minimum course content for the portion of an ethics training class that addresses s. 8, Art. II of the State Constitution and the Code of Ethics for Public Officers and Employees.

(3) Each house of the Legislature shall provide for ethics training pursuant to its rules.

Section 5. Section 112.31425, Florida Statutes, is created to read:

112.31425 Qualified blind trusts.—

(1) The Legislature finds that if a public officer creates a trust and does not control the interests held by the trust, his or her official actions will not be influenced or appear to be influenced by private considerations.

(2) If a public officer holds a beneficial interest in a qualified blind trust as described in this section, he or she does not have a conflict of interest

prohibited under s. 112.313(3) or (7) or a voting conflict of interest under s. 112.3143 with regard to matters pertaining to that interest.

(3) The public officer may not attempt to influence or exercise any control over decisions regarding the management of assets in a qualified blind trust. The public officer or any person having a beneficial interest in the qualified blind trust may not make any effort to obtain information with respect to the holdings of the trust, including obtaining a copy of any trust tax return filed or any information relating thereto, except as otherwise provided in this section.

(4) Except for communications that consist solely of requests for distributions of cash or other unspecified assets of the trust, the public officer or the person who has a beneficial interest may not have any direct or indirect communication with the trustee with respect to the trust, unless such communication is in writing and relates only to:

(a) A distribution from the trust which does not specify the source or assets within the trust from which the distribution is to be made in cash or in kind;

(b) The general financial interests and needs of the public officer or the person who has a beneficial interest, including, but not limited to, an interest in maximizing income or long-term capital gain;

(c) A notification of the trustee of a law or regulation subsequently applicable to the public officer which prohibits the officer from holding an asset and directs that the asset not be held by the trust; or

(d) A direction to the trustee to sell all of an asset initially placed in the trust by the public officer which, in the determination of the public officer, creates a conflict of interest or the appearance thereof due to the subsequent assumption of duties by the public officer.

(5) The public officer shall report the beneficial interest in the qualified blind trust and its value as an asset on his or her financial disclosure form, if the value is required to be disclosed. The public officer shall report the blind trust as a primary source of income on his or her financial disclosure forms and its amount, if the amount of income is required to be disclosed. The public officer is not required to report as a secondary source of income any source of income to the blind trust.

(6) In order to constitute a qualified blind trust, the trust established by the public officer must meet the following requirements:

(a) The appointed trustee must be a bank, trust company, or other institutional fiduciary or an individual who is an attorney, certified public accountant, broker, or investment advisor. If the trustee is an individual or if the trustee is a bank, trust company, or other institutional fiduciary, the individual responsible for managing the trust may not be:

1. The public officer's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin, or the spouse of any such person;

2. A person who is an elected or appointed public officer or a public employee;

3. A person who has been appointed to serve in an agency by the public officer or by a public officer or public employee supervised by the public officer; or

4. A business associate or principal of the public officer.

(b) All assets in the trust must be free of any restrictions with respect to their transfer or sale. The trust may not contain investments or assets the transfer of which by the trustee is improbable or impractical without the public officer's knowledge.

(c) The trust agreement must:

1. Contain a statement that its purpose is to remove from the grantor control and knowledge of investment of trust assets so that conflicts between the grantor's responsibilities as a public officer and his or her private interests are eliminated.

2. Give the trustee complete discretion to manage the trust, including, but not limited to, the power to dispose of and acquire trust assets without consulting or notifying the covered public officer or the person having a beneficial interest in the trust.

3. Prohibit communication between the trustee and the public officer, or the person who has a beneficial interest in the trust, concerning the holdings or sources of income of the trust, except amounts of cash value or net income or loss, if such report does not identify any asset or holding, or except as provided in this section.

4. Provide that the trust tax return is prepared by the trustee or his or her designee and that any information relating thereto is not disclosed to the public officer or to the person who has a beneficial interest, except as provided in this section.

5. Permit the trustee to notify the public officer of the date of disposition and value at disposition of any original investment or interest in real property to the extent required by federal tax law so that the information can be reported on the public officer's applicable tax returns.

6. Prohibit the trustee from disclosing to the public officer or the person who has a beneficial interest any information concerning replacement assets to the trust, except for the minimum tax information necessary to enable the public official to complete an individual tax return required by law.

(d) Within 5 business days after the agreement is executed, the public officer shall file with the commission a notice setting forth:

1. The date that the agreement is executed.

2. The name and address of the trustee.

3. The acknowledgement by the trustee that he or she has agreed to serve as trustee.

4. A certification by the trustee on a form prescribed by the commission that the trust meets all of the requirements of this section. In lieu of said certification, the public officer may file a copy of the trust agreement.

5. A complete list of assets placed in the trust that the public officer would be required to disclose pursuant to ss. 112.3144 or 112.3145.

(7) If the trust is revoked while the covered public official is a public officer, or if the covered public official learns of any replacement assets that have been added to the trust, the covered public official shall file an amendment to his or her most recent financial disclosure statement. The amendment shall be filed no later than 60 days after the date of revocation or the addition of the replacement assets. The covered public official shall disclose the previously unreported pro rata share of the trust's interests in investments or income deriving from any such investments. For purposes of this section, any replacement asset that becomes known to the covered public official shall thereafter be treated as though it were an original asset of the trust.

Section 6. Subsections (1) and (2) of section 112.3143, Florida Statutes, are amended, current subsection (5) of that section is renumbered as subsection (6), and a new subsection (5) is added to that section, to read:

112.3143 Voting conflicts.—

(1) As used in this section:

(a) "Principal by whom retained" means an individual or entity, other than an agency as defined in s. 112.312(2), that for compensation, salary, pay, consideration, or similar thing of value, has permitted or directed another to act for the individual or entity, and includes, but is not limited to, one's client, employer, or the parent, subsidiary, or sibling organization of one's client or employer.

(b)(a) "Public officer" includes any person elected or appointed to hold office in any agency, including any person serving on an advisory body.

(c)(b) "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

(d) "Special private gain or loss" means an economic benefit or harm that would inure to the officer, his or her relative, business associate, or principal, unless the measure affects a class that includes the officer, his or her relative, business associate, or principal, in which case, at least the following factors must be considered when determining whether a special private gain or loss exists:

1. The size of the class affected by the vote.

2. The nature of the interests involved.

3. The degree to which the interests of all members of the class are affected by the vote.

4. The degree to which the officer, his or her relative, business associate, or principal receives a greater benefit or harm when compared to other members of the class.

The degree to which there is uncertainty at the time of the vote as to whether there would be any economic benefit or harm to the public officer, his or her relative, business associate, or principal and, if so, the nature or degree of the economic benefit or harm must also be considered.

(2)(a) A ~~Ne~~ state public officer ~~may not vote on any matter that the officer knows would inure to his or her special private gain or loss is prohibited from voting in an official capacity on any matter. However,~~ Any state public officer who abstains from voting in an official capacity upon any measure ~~that which~~ the officer knows would inure to the officer's special private gain or loss, or who votes in an official capacity on a measure that ~~which~~ he or she knows would inure to the special private gain or loss of any principal by whom the officer is retained or to the parent organization or subsidiary of a corporate principal by which the officer is retained other than an agency as defined in s. 112.312(2); or which the officer knows would inure to the special private gain or loss of a relative or business associate of the public officer, shall make every reasonable effort to, ~~within 15 days after the vote occurs,~~ disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. If it is not possible for the state public officer to file a memorandum before the vote, the memorandum must be filed with the person responsible for recording the minutes of the meeting no later than 15 days after the vote.

(b) A member of the Legislature may satisfy the disclosure requirements of this section by filing a disclosure form created pursuant to the rules of the member's respective house if the member discloses the information required by this subsection.

(5) If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

Section 7. Subsection (2) of section 112.3144, Florida Statutes, is amended, present subsection (7) is renumbered as subsection (9), and new subsections (7) and (8) are added to that section, to read:

112.3144 Full and public disclosure of financial interests.—

(2) A person who is required, pursuant to s. 8, Art. II of the State Constitution, to file a full and public disclosure of financial interests and who has filed a full and public disclosure of financial interests for any calendar or fiscal year shall not be required to file a statement of financial interests pursuant to s. 112.3145(2) and (3) for the same year or for any part thereof notwithstanding any requirement of this part. When a candidate has qualified for office, the qualifying officer shall forward an electronic copy of the full and public disclosure of financial interests to the commission no later than July 1. The electronic copy of the full and public disclosure of financial interests satisfies the annual disclosure requirement of this section. A candidate who does not qualify until after the annual full and public disclosure has been filed pursuant to this section, ~~except that a candidate for office~~ shall file a copy of his or her disclosure with the officer before whom he or she qualifies.

(7)(a) The commission shall treat an amended full and public disclosure of financial interests that is filed prior to September 1 of the current year as the original filing, regardless of whether a complaint has been filed. If a complaint pertaining to the current year alleges a failure to properly and accurately disclose any information required by this section or if a complaint filed pertaining to a previous reporting period within the preceding 5 years alleges a failure to properly and accurately disclose any information required to be disclosed by this section, the commission may immediately follow complaint procedures in s. 112.324. However, if a complaint filed after August 25 alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file an amended full and public disclosure of financial interests correcting any errors. If the filer does not file an amended full and public disclosure of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(b) For purposes of the final full and public disclosure of financial interests, the commission shall treat a new final full and public disclosure of financial interests as the original filing if filed within 60 days after the original filing, regardless of whether a complaint has been filed. If, more than 60 days after a final full and public disclosure of financial interests is filed, a complaint is filed alleging a complete omission of any information required to be disclosed by this section, the commission may immediately follow the

complaint procedures in s. 112.324. However, if the complaint alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file a new final full and public disclosure of financial interests correcting any errors. If the filer does not file a new final full and public disclosure of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(c) For purposes of this section, an error or omission is immaterial, inconsequential, or de minimis if the original filing provided sufficient information for the public to identify potential conflicts of interest.

(8)(a) An individual required to file a disclosure pursuant to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual required to file is not a violation of this section.

(b) An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from funds in an office account created pursuant to s. 106.141 or, during a year that the individual qualifies for election to public office, the candidate's campaign depository pursuant to s. 106.021.

Section 8. Section 112.31445, Florida Statutes, is created to read:

112.31445 Electronic filing system; full and public disclosure of financial interests.—

(1) As used in this section, the term "electronic filing system" means an Internet system for recording and reporting full and public disclosure of financial interests or any other form that is required pursuant to s. 112.3144.

(2) Beginning with the 2012 filing year, all full and public disclosures of financial interests filed with the commission pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 must be scanned and made publicly available by the commission through a searchable Internet database.

(3) By December 1, 2015, the commission shall submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system. The proposal must, at a minimum:

(a) Provide for access through the Internet.

(b) Establish a procedure to make filings available in a searchable format that is accessible by an individual using standard web-browsing software.

(c) Provide for direct completion of the full and public disclosure of financial interests forms as well as upload such information using software approved by the commission.

(d) Provide a secure method that prevents unauthorized access to electronic filing system functions.

(e) Provide a method for an attorney or certified public accountant licensed in this state to sign the disclosure form to indicate that he or she prepared the form in accordance with s. 112.3144 and the instructions for completing and filing the disclosure form and that, upon his or her reasonable knowledge and belief, the form is true and correct.

(f) Address whether additional statutory or rulemaking authority is necessary for implementation of the system, and must include, at a minimum, the following elements: alternate filing procedures to be used in the event that the commission's electronic filing system is inoperable, issuance of an electronic receipt via electronic mail indicating and verifying to the individual who submitted the full and public disclosure of financial interests form that the form has been filed, and a determination of the feasibility and necessity of including statements of financial interests filed pursuant to s. 112.3145 in the proposed system.

Section 9. Paragraphs (a) and (b) of subsection (1), paragraph (a) of subsection (2), and subsection (3) of section 112.3145, Florida Statutes, are

amended, present subsection (9) of that section is renumbered as subsection (11), and new subsections (9) and (10) are added to that section, to read:

112.3145 Disclosure of financial interests and clients represented before agencies.—

(1) For purposes of this section, unless the context otherwise requires, the term:

(a) "Local officer" means:

1. Every person who is elected to office in any political subdivision of the state, and every person who is appointed to fill a vacancy for an unexpired term in such an elective office.

2. Any appointed member of any of the following boards, councils, commissions, authorities, or other bodies of any county, municipality, school district, independent special district, or other political subdivision of the state:

a. The governing body of the political subdivision, if appointed;

~~b. An expressway authority or transportation authority established by general law;~~

~~b.e.~~ A community college or junior college district board of trustees;

~~c.d.~~ A board having the power to enforce local code provisions;

~~d.e.~~ A planning or zoning board, board of adjustment, board of appeals, community redevelopment agency board, or other board having the power to recommend, create, or modify land planning or zoning within the political subdivision, except for citizen advisory committees, technical coordinating committees, and such other groups who only have the power to make recommendations to planning or zoning boards;

~~e.f.~~ A pension board or retirement board having the power to invest pension or retirement funds or the power to make a binding determination of one's entitlement to or amount of a pension or other retirement benefit; or

~~f.g.~~ Any other appointed member of a local government board who is required to file a statement of financial interests by the appointing authority or the enabling legislation, ordinance, or resolution creating the board.

3. Any person holding one or more of the following positions: mayor; county or city manager; chief administrative employee of a county, municipality, or other political subdivision; county or municipal attorney; finance director of a county, municipality, or other political subdivision; chief county or municipal building code inspector; county or municipal water resources coordinator; county or municipal pollution control director; county or municipal environmental control director; county or municipal administrator, with power to grant or deny a land development permit; chief of police; fire chief; municipal clerk; district school superintendent; community college president; district medical examiner; or purchasing agent having the authority to make any purchase exceeding the threshold amount provided for in s. 287.017 for CATEGORY ONE, on behalf of any political subdivision of the state or any entity thereof.

(b) "Specified state employee" means:

1. Public counsel created by chapter 350, an assistant state attorney, an assistant public defender, a criminal conflict and civil regional counsel, an assistant criminal conflict and civil regional counsel, a full-time state employee who serves as counsel or assistant counsel to any state agency, the Deputy Chief Judge of Compensation Claims, a judge of compensation claims, an administrative law judge, or a hearing officer.

2. Any person employed in the office of the Governor or in the office of any member of the Cabinet if that person is exempt from the Career Service System, except persons employed in clerical, secretarial, or similar positions.

3. The State Surgeon General or each appointed secretary, assistant secretary, deputy secretary, executive director, assistant executive director, or deputy executive director of each state department, commission, board, or council; unless otherwise provided, the division director, assistant division director, deputy director, bureau chief, and assistant bureau chief of any state department or division; or any person having the power normally conferred upon such persons, by whatever title.

4. The superintendent or institute director of a state mental health institute established for training and research in the mental health field or the warden or director of any major state institution or facility established for corrections, training, treatment, or rehabilitation.

5. Business managers, purchasing agents having the power to make any purchase exceeding the threshold amount provided for in s. 287.017 for

CATEGORY ONE, finance and accounting directors, personnel officers, or grants coordinators for any state agency.

6. Any person, other than a legislative assistant exempted by the presiding officer of the house by which the legislative assistant is employed, who is employed in the legislative branch of government, except persons employed in maintenance, clerical, secretarial, or similar positions.

7. Each employee of the Commission on Ethics.

(2)(a) A person seeking nomination or election to a state or local elective office shall file a statement of financial interests together with, and at the same time he or she files, qualifying papers. When a candidate has qualified for office prior to the deadline to file an annual statement of financial interests, the statement of financial interests that is filed with the candidate's qualifying papers shall be deemed to satisfy the annual disclosure requirement of this section. The qualifying officer must record that the statement of financial interests was timely filed. However, if a candidate does not qualify until after the annual statement of financial interests has been filed, the candidate may file a copy of his or her statement with the qualifying officer.

(3) The statement of financial interests for state officers, specified state employees, local officers, and persons seeking to qualify as candidates for state or local office shall be filed even if the reporting person holds no financial interests requiring disclosure, in which case the statement shall be marked "not applicable." Otherwise, the statement of financial interests shall include, at the filer's option, either:

(a)1. All sources of income in excess of 5 percent of the gross income received during the disclosure period by the person in his or her own name or by any other person for his or her use or benefit, excluding public salary. However, this shall not be construed to require disclosure of a business partner's sources of income. The person reporting shall list such sources in descending order of value with the largest source first;

2. All sources of income to a business entity in excess of 10 percent of the gross income of a business entity in which the reporting person held a material interest and from which he or she received an amount which was in excess of 10 percent of his or her gross income during the disclosure period and which exceeds \$1,500. The period for computing the gross income of the business entity is the fiscal year of the business entity which ended on, or immediately prior to, the end of the disclosure period of the person reporting;

3. The location or description of real property in this state, except for residences and vacation homes, owned directly or indirectly by the person reporting, when such person owns in excess of 5 percent of the value of such real property, and a general description of any intangible personal property worth in excess of 10 percent of such person's total assets. For the purposes of this paragraph, indirect ownership does not include ownership by a spouse or minor child; and

4. Every individual liability that equals more than the reporting person's net worth; or

(b)1. All sources of gross income in excess of \$2,500 received during the disclosure period by the person in his or her own name or by any other person for his or her use or benefit, excluding public salary. However, this shall not be construed to require disclosure of a business partner's sources of income. The person reporting shall list such sources in descending order of value with the largest source first;

2. All sources of income to a business entity in excess of 10 percent of the gross income of a business entity in which the reporting person held a material interest and from which he or she received gross income exceeding \$5,000 during the disclosure period. The period for computing the gross income of the business entity is the fiscal year of the business entity which ended on, or immediately prior to, the end of the disclosure period of the person reporting;

3. The location or description of real property in this state, except for residence and vacation homes, owned directly or indirectly by the person reporting, when such person owns in excess of 5 percent of the value of such real property, and a general description of any intangible personal property worth in excess of \$10,000. For the purpose of this paragraph, indirect ownership does not include ownership by a spouse or minor child; and

4. Every liability in excess of \$10,000.

A person filing a statement of financial interests shall indicate on the statement whether he or she is using the method specified in paragraph (a) or paragraph (b) of this subsection.

(9)(a) The commission shall treat an amended statement of financial interests that is filed prior to September 1 of the current year as the original filing, regardless of whether a complaint has been filed. If a complaint pertaining to the current year alleges a failure to properly and accurately disclose any information required by this section or if a complaint filed pertaining to a previous reporting period within the preceding 5 years alleges a failure to properly and accurately disclose any information required to be disclosed by this section, the commission may immediately follow complaint procedures in s. 112.324. However, if a complaint filed after August 25 alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint, other than notifying the filer of the complaint. The filer must be given 30 days to file an amended statement of financial interests correcting any errors. If the filer does not file an amended statement of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(b) For purposes of the final statement of financial interests, the commission shall treat a new final statement of financial interests, as the original filing, if filed within 60 days of the original filing regardless of whether a complaint has been filed. If, more than 60 days after a final statement of financial interests is filed, a complaint is filed alleging a complete omission of any information required to be disclosed by this section, the commission may immediately follow the complaint procedures in s. 112.324. However, if the complaint alleges an immaterial, inconsequential, or de minimis error or omission, the commission may not take any action on the complaint other than notifying the filer of the complaint. The filer must be given 30 days to file a new final statement of financial interests correcting any errors. If the filer does not file a new final statement of financial interests within 30 days after the commission sends notice of the complaint, the commission may continue with proceedings pursuant to s. 112.324.

(c) For purposes of this section, an error or omission is immaterial, inconsequential, or de minimis if the original filing provided sufficient information for the public to identify potential conflicts of interest.

(10)(a) An individual required to file a disclosure pursuant to this section may have the disclosure prepared by an attorney in good standing with The Florida Bar or by a certified public accountant licensed under chapter 473. After preparing a disclosure form, the attorney or certified public accountant must sign the form indicating that he or she prepared the form in accordance with this section and the instructions for completing and filing the disclosure forms and that, upon his or her reasonable knowledge and belief, the disclosure is true and correct. If a complaint is filed alleging a failure to disclose information required by this section, the commission shall determine whether the information was disclosed to the attorney or certified public accountant. The failure of the attorney or certified public accountant to accurately transcribe information provided by the individual who is required to file the disclosure does not constitute a violation of this section.

(b) An elected officer or candidate who chooses to use an attorney or a certified public accountant to prepare his or her disclosure may pay for the services of the attorney or certified public accountant from funds in an office account created pursuant to s. 106.141 or, during a year that the individual qualifies for election to public office, the candidate's campaign depository pursuant to s. 106.021.

Section 10. Section 112.31455, Florida Statutes, is created to read:

112.31455 Collection methods for unpaid automatic fines for failure to timely file disclosure of financial interests.—

(1) Before referring any unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(6) to the Department of Financial Services, the commission shall attempt to determine whether the individual owing such a fine is a current public officer or current public employee. If so, the commission may notify the Chief Financial Officer or the governing body of the appropriate county, municipality, or special district of the total amount of any fine owed to the commission by such individual.

(a) After receipt and verification of the notice from the commission, the Chief Financial Officer or the governing body of the county, municipality, or

special district shall begin withholding the lesser of 10 percent or the maximum amount allowed under federal law from any salary-related payment. The withheld payments shall be remitted to the commission until the fine is satisfied.

(b) The Chief Financial Officer or the governing body of the county, municipality, or special district may retain an amount of each withheld payment, as provided in s. 77.0305, to cover the administrative costs incurred under this section.

(2) If the commission determines that the individual who is the subject of an unpaid fine accrued pursuant to s. 112.3144(5) or s. 112.3145(6) is no longer a public officer or public employee or if the commission is unable to determine whether the individual is a current public officer or public employee, the commission may, 6 months after the order becomes final, seek garnishment of any wages to satisfy the amount of the fine, or any unpaid portion thereof, pursuant to chapter 77. Upon recording the order imposing the fine with the clerk of the circuit court, the order shall be deemed a judgment for purposes of garnishment pursuant to chapter 77.

(3) The commission may refer unpaid fines to the appropriate collection agency, as directed by the Chief Financial Officer, to utilize any collection methods provided by law. Except as expressly limited by this section, any other collection methods authorized by law are allowed.

(4) Action may be taken to collect any unpaid fine imposed by ss. 112.3144 and 112.3145 within 20 years after the date the final order is rendered.

Section 11. Section 112.3147, Florida Statutes, is amended to read:

112.3147 Forms.—Except as otherwise provided, all information required to be furnished by ss. 112.313, 112.3143, 112.3144, 112.3145, 112.3148, and 112.3149 and by s. 8, Art. II of the State Constitution shall be on forms prescribed by the Commission on Ethics.

Section 12. Paragraph (e) of subsection (2) of section 112.3148, Florida Statutes, is amended and paragraph (f) is added to that subsection, and subsections (3) through (5) of that section are amended, to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(2) As used in this section:

(e) "Procurement employee" means any employee of an officer, department, board, commission, ~~or~~ council, or agency of the executive branch or judicial branch of state government who has participated in the preceding 12 months ~~participates~~ through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement of contractual services or commodities as defined in s. 287.012, if the cost of such services or commodities exceeds or is expected to exceed \$10,000 ~~\$1,000~~ in any fiscal year.

(f) "Vendor" means a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services.

(3) A reporting individual or procurement employee is prohibited from soliciting any gift from a vendor doing business with the reporting individual's or procurement employee's agency, a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or the partner, firm, employer, or principal of such lobbyist, where such gift is for the personal benefit of the reporting individual or procurement employee, another reporting individual or procurement employee, or any member of the immediate family of a reporting individual or procurement employee.

(4) A reporting individual or procurement employee or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly, a gift from a vendor doing business with the reporting individual's or procurement employee's agency, a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100; however, such a gift may be accepted by such person on behalf

of a governmental entity or a charitable organization. If the gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

(5)(a) A vendor doing business with the reporting individual's or procurement employee's agency; a political committee ~~or a committee of continuous existence~~, as defined in s. 106.011; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

(b) However, a person who is regulated by this subsection, who is not regulated by subsection (6), and who makes, or directs another to make, an individual gift having a value in excess of \$25, but not in excess of \$100, other than a gift that the donor knows will be accepted on behalf of a governmental entity or charitable organization, must file a report on the last day of each calendar quarter for the previous calendar quarter in which a reportable gift is made. The report shall be filed with the Commission on Ethics, except with respect to gifts to reporting individuals of the legislative branch, in which case the report shall be filed with the Office of Legislative Services. The report must contain a description of each gift, the monetary value thereof, the name and address of the person making such gift, the name and address of the recipient of the gift, and the date such gift is given. In addition, if a gift is made which requires the filing of a report under this subsection, the donor must notify the intended recipient at the time the gift is made that the donor, or another on his or her behalf, will report the gift under this subsection. Under this paragraph, a gift need not be reported by more than one person or entity.

Section 13. Section 112.31485, Florida Statutes, is created to read:

112.31485 Prohibition on gifts involving political committees.—

(1)(a) For purposes of this section, the term "gift" means any purchase, payment, distribution, loan, advance, transfer of funds, or disbursement of money or anything of value that is not primarily related to contributions, expenditures, or other political activities authorized pursuant to chapter 106.

(b) For purposes of this section, the term "immediate family" means any parent, spouse, child, or sibling.

(2)(a) A reporting individual or procurement employee or a member of his or her immediate family is prohibited from soliciting or knowingly accepting, directly or indirectly, any gift from a political committee.

(b) A political committee is prohibited from giving, directly or indirectly, any gift to a reporting individual or procurement employee or a member of his or her immediate family.

(3) Any person who violates this section is subject to a civil penalty equal to three times the amount of the gift. Such penalty is in addition to the penalties provided in s. 112.317 and shall be paid to the General Revenue Fund of the state. A reporting individual or procurement employee or a member of his or her immediate family who violates this section is personally liable for payment of the treble penalty. Any agent or person acting on behalf of a political committee who gives a prohibited gift is personally liable for payment of the treble penalty.

Section 14. Paragraph (e) of subsection (1) of section 112.3149, Florida Statutes, is amended, and paragraph (f) is added to that subsection, and subsections (3) and (4) of that section are amended, to read:

112.3149 Solicitation and disclosure of honoraria.—

(1) As used in this section:

(e) "Procurement employee" means any employee of an officer, department, board, commission, ~~or~~ council, or agency of the executive branch or judicial branch of state government who has participated in the preceding 12 months ~~participates~~ through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity in the procurement

of contractual services or commodities as defined in s. 287.012, if the cost of such services or commodities exceeds \$10,000 ~~\$1,000~~ in any fiscal year.

(f) "Vendor" means a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services.

(3) A reporting individual or procurement employee is prohibited from knowingly accepting an honorarium from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, from a vendor doing business with the reporting individual's or procurement employee's agency, from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or from the employer, principal, partner, or firm of such a lobbyist.

(4) A political committee ~~or committee of continuous existence~~, as defined in s. 106.011, a vendor doing business with the reporting individual's or procurement employee's agency, a lobbyist who lobbies a reporting individual's or procurement employee's agency, or the employer, principal, partner, or firm of such a lobbyist is prohibited from giving an honorarium to a reporting individual or procurement employee.

Section 15. Section 112.317, Florida Statutes, is amended to read:

112.317 Penalties.—

(1) Any violation of ~~any provision of~~ this part, including, but not limited to, ~~any~~ failure to file ~~any~~ disclosures required by this part or violation of any standard of conduct imposed by this part, or ~~any~~ violation of ~~any provision of~~ s. 8, Art. II of the State Constitution, in addition to any criminal penalty or other civil penalty involved, ~~shall~~, under applicable constitutional and statutory procedures, ~~constitutes~~ constitute grounds for, and may be punished by, one or more of the following:

(a) In the case of a public officer:

1. Impeachment.
2. Removal from office.
3. Suspension from office.
4. Public censure and reprimand.
5. Forfeiture of no more than one-third of his or her salary per month for no more than 12 months.
6. A civil penalty not to exceed \$10,000.
7. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency of which the public officer was a member or to the General Revenue Fund.

(b) In the case of an employee or a person designated as a public officer by this part who otherwise would be deemed to be an employee:

1. Dismissal from employment.
2. Suspension from employment for not more than 90 days without pay.
3. Demotion.
4. Reduction in his or her salary level.
5. Forfeiture of no more than one-third salary per month for no more than 12 months.
6. A civil penalty not to exceed \$10,000.
7. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency by which the public employee was employed, or of which the officer was deemed to be an employee, or to the General Revenue Fund.
8. Public censure and reprimand.

(c) In the case of a candidate who violates ~~the provisions of~~ this part or s. 8(a) and (i), Art. II of the State Constitution:

1. Disqualification from being on the ballot.
2. Public censure.
3. Reprimand.
4. A civil penalty not to exceed \$10,000.

(d) In the case of a former public officer or employee who has violated a provision applicable to former officers or employees or whose violation occurred before the officer's or employee's leaving public office or employment:

1. Public censure and reprimand.
2. A civil penalty not to exceed \$10,000.
3. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be

paid to the agency of the public officer or employee or to the General Revenue Fund.

(e) In the case of a person who is subject to the standards of this part, other than a lobbyist or lobbying firm under s. 112.3215 for a violation of s. 112.3215, but who is not a public officer or employee:

1. Public censure and reprimand.
2. A civil penalty not to exceed \$10,000.
3. Restitution of any pecuniary benefits received because of the violation committed. The commission may recommend that the restitution penalty be paid to the agency of the person or to the General Revenue Fund.

(2) In any case in which the commission finds a violation of this part or of s. 8, Art. II of the State Constitution and the proper disciplinary official or body under s. 112.324 imposes a civil penalty or restitution penalty, the Attorney General shall bring a civil action to recover such penalty. No defense may be raised in the civil action to enforce the civil penalty or order of restitution that could have been raised by judicial review of the administrative findings and recommendations of the commission by certiorari to the district court of appeal. The Attorney General shall collect any costs, attorney's fees, expert witness fees, or other costs of collection incurred in bringing the action.

(3) The penalties prescribed in this part shall not be construed to limit or to conflict with:

(a) The power of either house of the Legislature to discipline its own members or impeach a public officer.

(b) The power of agencies to discipline officers or employees.

(4) Any violation of this part or of s. 8, Art. II of the State Constitution by a public officer constitutes ~~shall constitute~~ malfeasance, misfeasance, or neglect of duty in office within the meaning of s. 7, Art. IV of the State Constitution.

(5) By order of the Governor, upon recommendation of the commission, any elected municipal officer who violates ~~any provision of~~ this part or of s. 8, Art. II of the State Constitution may be suspended from office and the office filled by appointment for the period of suspension. The suspended officer may at any time before removal be reinstated by the Governor. The Senate may, in proceedings prescribed by law, remove from office, or reinstate, the suspended official, and for such purpose the Senate may be convened in special session by its President or by a majority of its membership.

(6) In any case in which the commission finds probable cause to believe that a complainant has committed perjury in regard to any document filed with, or any testimony given before, the commission, it shall refer such evidence to the appropriate law enforcement agency for prosecution and taxation of costs.

(7) In any case in which the commission determines that a person has filed a complaint against a public officer or employee with a malicious intent to injure the reputation of such officer or employee by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this part, the complainant shall be liable for costs plus reasonable attorney ~~attorney's~~ fees incurred in the defense of the person complained against, including the costs and reasonable attorney ~~attorney's~~ fees incurred in proving entitlement to and the amount of costs and fees. If the complainant fails to pay such costs and fees voluntarily within 30 days following such finding by the commission, the commission shall forward such information to the Department of Legal Affairs, which shall bring a civil action in a court of competent jurisdiction to recover the amount of such costs and fees awarded by the commission.

Section 16. Paragraphs (a) and (c) of subsection (8) and subsection (10) of section 112.3215, Florida Statutes, are amended, present subsections (11) through (14) are renumbered as (12) through (15), respectively, and a new subsection (11) is added to that section to read:

112.3215 Lobbying before the executive branch or the Constitution Revision Commission; registration and reporting; investigation by commission.—

(8)(a) The commission shall investigate every sworn complaint that is filed with it alleging that a person covered by this section has failed to register, has failed to submit a compensation report, has made a prohibited expenditure, or has knowingly submitted false information in any report or registration required in this section.

(c) The commission shall investigate any lobbying firm, lobbyist, principal, agency, officer, or employee upon receipt of information from a

sworn complaint or from a random audit of lobbying reports indicating a possible violation other than a late-filed report.

(10) If the Governor and Cabinet finds that a violation occurred, it may reprimand the violator, censure the violator, or prohibit the violator from lobbying all agencies for a period not to exceed 2 years. If the violator is a lobbying firm, lobbyist, or principal, the Governor and Cabinet may also assess a fine of not more than \$5,000 to be deposited in the Executive Branch Lobby Registration Trust Fund.

(11) Any person who is required to be registered or to provide information under this section or under rules adopted pursuant to this section and who knowingly fails to disclose any material fact that is required by this section or by rules adopted pursuant to this section, or who knowingly provides false information on any report required by this section or by rules adopted pursuant to this section, commits a noncriminal infraction, punishable by a fine not to exceed \$5,000. Such penalty is in addition to any other penalty assessed by the Governor and Cabinet pursuant to subsection (10).

Section 17. Section 112.324, Florida Statutes, is amended to read:

112.324 Procedures on complaints of violations and referrals; public records and meeting exemptions.—

~~(1) Upon a written complaint executed on a form prescribed by the commission and signed under oath or affirmation by any person, The commission shall investigate an any alleged violation of this part or any other alleged breach of the public trust within the jurisdiction of the commission as provided in s. 8(f), Art. II of the State Constitution; in accordance with procedures set forth herein.~~

(a) Upon a written complaint executed on a form prescribed by the commission and signed under oath of affirmation by any person; or

(b) Upon receipt of a written referral of a possible violation of this part or other possible breach of the public trust from the Governor, the Department of Law Enforcement, a state attorney, or a United States Attorney which at least six members of the commission determine is sufficient to indicate a violation of this part or any other breach of the public trust.

Within 5 days after receipt of a complaint by the commission or a determination by at least six members of the commission that the referral received is deemed sufficient, a copy shall be transmitted to the alleged violator.

(2)(a) The complaint and records relating to the complaint or to any preliminary investigation held by the commission or its agents, by a Commission on Ethics and Public Trust established by any county defined in s. 125.011(1) or by any municipality defined in s. 165.031, or by any county or municipality that has established a local investigatory process to enforce more stringent standards of conduct and disclosure requirements as provided in s. 112.326 are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(b) Any proceeding conducted by the commission, a Commission on Ethics and Public Trust, or a county or municipality that has established such local investigatory process, pursuant to a complaint or preliminary investigation, is exempt from the provisions of s. 286.011, s. 24(b), Art. I of the State Constitution, and s. 120.525.

(c) The exemptions in paragraphs (a) and (b) apply until the complaint is dismissed as legally insufficient, until the alleged violator requests in writing that such records and proceedings be made public, or until the commission, a Commission on Ethics and Public Trust, or a county or municipality that has established such local investigatory process determines, based on such investigation, whether probable cause exists to believe that a violation has occurred. ~~In no event shall~~ A complaint or referral under this part against a candidate in any general, special, or primary election may not be filed nor may or any intention of filing such a complaint or referral be disclosed on the day of any such election or within the 30 ~~5~~ days immediately preceding the date of the election, unless the complaint or referral is based upon personal information or information other than hearsay.

(d) This subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2015, unless reviewed and saved from repeal through reenactment by the Legislature.

(3) A preliminary investigation shall be undertaken by the commission of each legally sufficient complaint or referral over which the commission has jurisdiction to determine whether there is probable cause to believe that a violation has occurred. If, upon completion of the preliminary investigation, the commission finds no probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, the commission shall dismiss the complaint or referral with the issuance of a public report to the complainant and the alleged violator, stating with particularity its reasons for dismissal ~~of the complaint~~. At that time, the complaint or referral and all materials relating to the complaint or referral shall become a matter of public record. If the commission finds from the preliminary investigation probable cause to believe that this part has been violated or that any other breach of the public trust has been committed, it shall so notify the complainant and the alleged violator in writing. Such notification and all documents made or received in the disposition of the complaint or referral shall then become public records. Upon request submitted to the commission in writing, any person who the commission finds probable cause to believe has violated any provision of this part or has committed any other breach of the public trust shall be entitled to a public hearing. Such person shall be deemed to have waived the right to a public hearing if the request is not received within 14 days following the mailing of the probable cause notification required by this subsection. However, the commission may on its own motion, require a public hearing, may conduct such further investigation as it deems necessary, and may enter into such stipulations and settlements as it finds to be just and in the best interest of the state. The commission is without jurisdiction to, and no respondent may voluntarily or involuntarily, enter into a stipulation or settlement which imposes any penalty, including, but not limited to, a sanction or admonition or any other penalty contained in s. 112.317. Penalties shall be imposed only by the appropriate disciplinary authority as designated in this section.

(4) If, in cases pertaining to members of the Legislature, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution, the commission shall forward a copy of the complaint or referral and its findings by certified mail to the President of the Senate or the Speaker of the House of Representatives, whichever is applicable, who shall refer the complaint or referral to the appropriate committee for investigation and action which shall be governed by the rules of its respective house. It ~~shall be~~ the duty of the committee to report its final action upon the ~~matter~~ complaint to the commission within 90 days of the date of transmittal to the respective house. Upon request of the committee, the commission shall submit a recommendation as to what penalty, if any, should be imposed. In the case of a member of the Legislature, the house in which the member serves ~~has shall~~ have the power to invoke the penalty provisions of this part.

(5) If, in cases ~~pertaining to complaints~~ against impeachable officers, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution, and the commission finds that the violation may constitute grounds for impeachment, the commission shall forward a copy of the complaint or referral and its findings by certified mail to the Speaker of the House of Representatives, who shall refer the complaint or referral to the appropriate committee for investigation and action which shall be governed by the rules of the House of Representatives. It ~~shall be~~ the duty of the committee to report its final action upon the ~~matter~~ complaint to the commission within 90 days of the date of transmittal.

(6) If the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution by an impeachable officer other than the Governor, and the commission recommends public censure and reprimand, forfeiture of a portion of the officer's salary, a civil penalty, or restitution, the commission shall report its findings and recommendation of disciplinary action to the Governor, who ~~has shall have~~ the power to invoke the penalty provisions of this part.

(7) If the commission finds that there has been a violation of this part or of any provision of s. 8, Art. II of the State Constitution by the Governor, and the commission recommends public censure and reprimand, forfeiture of a portion of the Governor's salary, a civil penalty, or restitution, the commission shall report its findings and recommendation of disciplinary action to the Attorney

General, who shall have the power to invoke the penalty provisions of this part.

(8) If, in cases ~~pertaining to complaints~~ other than complaints or referrals against impeachable officers or members of the Legislature, upon completion of a full and final investigation by the commission, the commission finds that there has been a violation of this part or of s. 8, Art. II of the State Constitution, it ~~is shall be~~ the duty of the commission to report its findings and recommend appropriate action to the proper disciplinary official or body as follows, and such official or body ~~has shall have~~ the power to invoke the penalty provisions of this part, including the power to order the appropriate elections official to remove a candidate from the ballot for a violation of s. 112.3145 or s. 8(a) and (i), Art. II of the State Constitution:

(a) The President of the Senate and the Speaker of the House of Representatives, jointly, in any case concerning the Public Counsel, members of the Public Service Commission, members of the Public Service Commission Nominating Council, the Auditor General, or the director of the Office of Program Policy Analysis and Government Accountability.

(b) The Supreme Court, in any case concerning an employee of the judicial branch.

(c) The President of the Senate, in any case concerning an employee of the Senate; the Speaker of the House of Representatives, in any case concerning an employee of the House of Representatives; or the President and the Speaker, jointly, in any case concerning an employee of a committee of the Legislature whose members are appointed solely by the President and the Speaker or in any case concerning an employee of the Public Counsel, Public Service Commission, Auditor General, or Office of Program Policy Analysis and Government Accountability.

(d) Except as otherwise provided by this part, the Governor, in the case of any other public officer, public employee, former public officer or public employee, candidate or former candidate, or person who is not a public officer or employee, other than lobbyists and lobbying firms under s. 112.3215 for violations of s. 112.3215.

(e) The President of the Senate or the Speaker of the House of Representatives, whichever is applicable, in any case concerning a former member of the Legislature who has violated a provision applicable to former members or whose violation occurred while a member of the Legislature.

(9) In addition to reporting its findings to the proper disciplinary body or official, the commission shall report these findings to the state attorney or any other appropriate official or agency having authority to initiate prosecution when violation of criminal law is indicated.

(10) Notwithstanding the foregoing procedures of this section, a sworn complaint against any member or employee of the Commission on Ethics for violation of this part or of s. 8, Art. II of the State Constitution shall be filed with the President of the Senate and the Speaker of the House of Representatives. Each presiding officer shall, after determining that there are sufficient grounds for review, appoint three members of their respective bodies to a special joint committee who shall investigate the complaint. The members shall elect a chair from among their number. If the special joint committee finds insufficient evidence to establish probable cause to believe a violation of this part or of s. 8, Art. II of the State Constitution has occurred, it shall dismiss the complaint. If, upon completion of its preliminary investigation, the committee finds sufficient evidence to establish probable cause to believe a violation has occurred, the chair thereof shall transmit such findings to the Governor who shall convene a meeting of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court to take such final action on the complaint as they shall deem appropriate, consistent with the penalty provisions of this part. Upon request of a majority of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Chief Justice of the Supreme Court, the special joint committee shall submit a recommendation as to what penalty, if any, should be imposed.

(11)(a) Notwithstanding subsections (1)-(8), the commission may dismiss any complaint or referral at any stage of disposition if it determines that the violation that is alleged or has occurred is a de minimis violation attributable to inadvertent or unintentional error. In determining whether a violation was de minimis, the commission shall consider whether the interests of the public

were protected despite the violation. This subsection does not apply to complaints or referrals pursuant to ss. 112.3144 and 112.3145.

(b) For the purposes of this subsection, a de minimis violation is any violation that is unintentional and not material in nature.

~~(12)(11)~~ Notwithstanding the provisions of subsections (1)-(8), the commission may, at its discretion, dismiss any complaint or referral at any stage of disposition should it determine that the public interest would not be served by proceeding further, in which case the commission shall issue a public report stating with particularity its reasons for the dismissal.

Section 18. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, subsection (1) of section 120.665, Florida Statutes, is reenacted to read:

120.665 Disqualification of agency personnel.—

(1) Notwithstanding the provisions of s. 112.3143, any individual serving alone or with others as an agency head may be disqualified from serving in an agency proceeding for bias, prejudice, or interest when any party to the agency proceeding shows just cause by a suggestion filed within a reasonable period of time prior to the agency proceeding. If the disqualified individual was appointed, the appointing power may appoint a substitute to serve in the matter from which the individual is disqualified. If the individual is an elected official, the Governor may appoint a substitute to serve in the matter from which the individual is disqualified. However, if a quorum remains after the individual is disqualified, it shall not be necessary to appoint a substitute.

Section 19. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, section 286.012, Florida Statutes, is reenacted to read:

286.012 Voting requirement at meetings of governmental bodies.—No member of any state, county, or municipal governmental board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded or counted for each such member present, except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under the provisions of s. 112.311, s. 112.313, or s. 112.3143. In such cases, said member shall comply with the disclosure requirements of s. 112.3143.

Section 20. For the purpose of incorporating the amendment made by this act to section 112.324, Florida Statutes, in a reference thereto, section 287.175, Florida Statutes, is reenacted to read:

287.175 Penalties.—A violation of this part or a rule adopted hereunder, pursuant to applicable constitutional and statutory procedures, constitutes misuse of public position as defined in s. 112.313(6), and is punishable as provided in s. 112.317. The Chief Financial Officer shall report incidents of suspected misuse to the Commission on Ethics, and the commission shall investigate possible violations of this part or rules adopted hereunder when reported by the Chief Financial Officer, notwithstanding the provisions of s. 112.324. Any violation of this part or a rule adopted hereunder shall be presumed to have been committed with wrongful intent, but such presumption is rebuttable. Nothing in this section is intended to deny rights provided to career service employees by s. 110.227.

Section 21. Paragraph (c) of subsection (1) of section 288.901, Florida Statutes, is amended to read:

288.901 Enterprise Florida, Inc.—

(1) CREATION.—

(c) The Legislature determines that it is in the public interest for the members of Enterprise Florida, Inc., board of directors to be subject to the requirements of ss. 112.3135, 112.3143(2) ~~112.3143~~, and 112.313, excluding s. 112.313(2), notwithstanding the fact that the board members are not public officers or employees. For purposes of those sections, the board members shall be considered to be public officers or employees. The exemption set forth in s. 112.313(12) for advisory boards applies to the members of Enterprise Florida, Inc., board of directors. Further, each member of the board of directors who is not otherwise required to file financial disclosures pursuant to s. 8, Art. II of the State Constitution or s. 112.3144, shall file disclosure of financial interests pursuant to s. 112.3145.

Section 22. Subsection (1) of section 445.007, Florida Statutes, is reenacted for the purpose of incorporating the amendment made by this act to

section 112.3143, Florida Statutes, in a reference thereto, and subsection (11) of that section is amended, to read:

445.007 Regional workforce boards.—

(1) One regional workforce board shall be appointed in each designated service delivery area and shall serve as the local workforce investment board pursuant to Pub. L. No. 105-220. The membership of the board shall be consistent with Pub. L. No. 105-220, Title I, s. 117(b) but may not exceed the minimum membership required in Pub. L. No. 105-220, Title I, s. 117(b)(2)(A) and in this subsection. Upon approval by the Governor, the chief elected official may appoint additional members above the limit set by this subsection. If a public education or training provider is represented on the board, a representative of a private nonprofit provider and a representative of a private for-profit provider must also be appointed to the board. The board shall include one nonvoting representative from a military installation if a military installation is located within the region and the appropriate military command or organization authorizes such representation. It is the intent of the Legislature that membership of a regional workforce board include persons who are current or former recipients of welfare transition assistance as defined in s. 445.002(2) or workforce services as provided in s. 445.009(1) or that such persons be included as ex officio members of the board or of committees organized by the board. The importance of minority and gender representation shall be considered when making appointments to the board. The board, its committees, subcommittees, and subdivisions, and other units of the workforce system, including units that may consist in whole or in part of local governmental units, may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, provided that the public is given proper notice of the telecommunications meeting and reasonable access to observe and, when appropriate, participate. Regional workforce boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution. If the regional workforce board enters into a contract with an organization or individual represented on the board of directors, the contract must be approved by a two-thirds vote of the board, a quorum having been established, and the board member who could benefit financially from the transaction must abstain from voting on the contract. A board member must disclose any such conflict in a manner that is consistent with the procedures outlined in s. 112.3143. Each member of a regional workforce board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145. The executive director or designated person responsible for the operational and administrative functions of the regional workforce board who is not otherwise required to file a full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution or s. 112.3144 shall file a statement of financial interests pursuant to s. 112.3145.

(11) To increase transparency and accountability, a regional workforce board must comply with the requirements of this section before contracting with a member of the board or a relative, as defined in s. 112.3143(1)(c) ~~112.3143(1)(b)~~, of a board member or of an employee of the board. Such contracts may not be executed before or without the approval of Workforce Florida, Inc. Such contracts, as well as documentation demonstrating adherence to this section as specified by Workforce Florida, Inc., must be submitted to the Department of Economic Opportunity for review and recommendation according to criteria to be determined by Workforce Florida, Inc. Such a contract must be approved by a two-thirds vote of the board, a quorum having been established; all conflicts of interest must be disclosed before the vote; and any member who may benefit from the contract, or whose relative may benefit from the contract, must abstain from the vote. A contract under \$25,000 between a regional workforce board and a member of that board or between a relative, as defined in s. 112.3143(1)(c) ~~112.3143(1)(b)~~, of a board member or of an employee of the board is not required to have the prior approval of Workforce Florida, Inc., but must be approved by a two-thirds vote of the board, a quorum having been established, and must be reported to the Department of Economic Opportunity and Workforce Florida, Inc., within 30 days after approval. If a contract cannot be approved by Workforce Florida, Inc., a review of the

decision to disapprove the contract may be requested by the regional workforce board or other parties to the disapproved contract.

Section 23. For the purpose of incorporating the amendment made by this act to section 112.3143, Florida Statutes, in a reference thereto, paragraph (m) of subsection (5) of section 627.311, Florida Statutes, is reenacted to read:

627.311 Joint underwriters and joint reinsurers; public records and public meetings exemptions.—

(5)

(m) Senior managers and officers, as defined in the plan of operation, and members of the board of governors are subject to the provisions of ss. 112.313, 112.3135, 112.3143, 112.3145, 112.316, and 112.317. Senior managers, officers, and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the plan or his or her designee shall notify each newly appointed and existing appointed member of the board of governors, senior manager, and officer of his or her duty to comply with the reporting requirements of s. 112.3145. At least quarterly, the executive director of the plan or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers, officers, and members of the board of governors who are subject to the public disclosure requirements under s. 112.3145. Notwithstanding s. 112.313, an employee, officer, owner, or director of an insurance agency, insurance company, or other insurance entity may be a member of the board of governors unless such employee, officer, owner, or director of an insurance agency, insurance company, other insurance entity, or an affiliate provides policy issuance, policy administration, underwriting, claims handling, or payroll audit services. Notwithstanding s. 112.3143, such board member may not participate in or vote on a matter if the insurance agency, insurance company, or other insurance entity would obtain a special or unique benefit that would not apply to other similarly situated insurance entities.

Section 24. For the purpose of incorporating the amendment made to this act to section 112.3143, Florida Statutes, in a reference thereto, paragraph (d) of subsection (6) of section 627.351, Florida Statutes, is reenacted to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(d)1. All prospective employees for senior management positions, as defined by the plan of operation, are subject to background checks as a prerequisite for employment. The office shall conduct the background checks pursuant to ss. 624.34, 624.404(3), and 628.261.

2. On or before July 1 of each year, employees of the corporation must sign and submit a statement attesting that they do not have a conflict of interest, as defined in part III of chapter 112. As a condition of employment, all prospective employees must sign and submit to the corporation a conflict-of-interest statement.

3. Senior managers and members of the board of governors are subject to part III of chapter 112, including, but not limited to, the code of ethics and public disclosure and reporting of financial interests, pursuant to s. 112.3145. Notwithstanding s. 112.3143(2), a board member may not vote on any measure that would inure to his or her special private gain or loss; that he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312; or that he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Before the vote is taken, such member shall publicly state to the assembly the nature of his or her interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes. Senior managers and board members are also required to file such disclosures with the Commission on Ethics and the Office of Insurance Regulation. The executive director of the corporation or his or her designee shall notify each existing and newly appointed member of the board of governors and senior managers of their duty to comply with the reporting requirements of part III of chapter 112. At least quarterly, the executive director or his or her designee shall submit to the Commission on Ethics a list of names of the senior managers and members of the board of

governors who are subject to the public disclosure requirements under s. 112.3145.

4. Notwithstanding s. 112.3148 or s. 112.3149, or any other provision of law, an employee or board member may not knowingly accept, directly or indirectly, any gift or expenditure from a person or entity, or an employee or representative of such person or entity, which has a contractual relationship with the corporation or who is under consideration for a contract. An employee or board member who fails to comply with subparagraph 3. or this subparagraph is subject to penalties provided under ss. 112.317 and 112.3173.

5. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from representing another person or entity before the corporation for 2 years after retirement or termination of employment from the corporation.

6. Any senior manager of the corporation who is employed on or after January 1, 2007, regardless of the date of hire, who subsequently retires or terminates employment is prohibited from having any employment or contractual relationship for 2 years with an insurer that has entered into a take-out bonus agreement with the corporation.

Section 25. This act shall take effect upon becoming a law.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to ethics; amending s. 112.312, F.S.; revising the definitions of "business entity" and "gift"; creating s. 112.3125, F.S.; defining the term "public officer"; prohibiting public officers from accepting additional employment with the state or any of its political subdivisions under specified conditions; amending s. 112.313, F.S.; prohibiting a former legislator from acting as a lobbyist before an executive branch agency, agency official, or employee for a specified period following vacation of office; providing definitions; creating s. 112.3142, F.S.; defining the term "constitutional officers"; requiring constitutional officers to complete annual ethics training; specifying requirements for ethics training; requiring the commission to adopt rules to establish minimum course content; requiring each house of the Legislature to provide for ethics training pursuant to its rules; creating s. 112.31425, F.S.; providing legislative findings; providing that holding an economic interest in a qualified blind trust is not a prohibited conflict of interest; providing that a public officer may not attempt to influence, exercise control of, or obtain information regarding the holdings of the qualified blind trust; prohibiting communication regarding the qualified blind trust between a public officer or a person having a beneficial interest in the trust and the trustee; providing exceptions; requiring a public officer to report the qualified blind trust and its value on his or her financial disclosure form under specified circumstances; establishing requirements for creation of a qualified blind trust; requiring a public officer who holds a qualified blind trust to file a notice with the Commission on Ethics; requiring a covered public official to file an amendment to his or her most recent financial disclosure statement under specified conditions; amending s. 112.3143, F.S.; providing definitions; requiring state public officers to abstain from voting on any matter that the officer knows would inure to his or her special private gain or loss; requiring that a memorandum filed after a vote be filed no later than 15 days after the vote; providing that a member of the Legislature satisfies the disclosure requirement by filing a form created pursuant to the rules of his or her respective house; providing that confidential or privileged information need not be disclosed; amending s. 112.3144, F.S.; requiring the qualifying officer to electronically transmit a full and public disclosure of financial interests of a qualified candidate to the commission; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant;

requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; providing circumstances under which the commission must determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31445, F.S.; providing a definition for "electronic filing system"; requiring all disclosures of financial interests filed with the commission to be scanned and made publicly available on a searchable Internet database beginning with the 2012 filing year; requiring the commission to submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory electronic filing system by a specified date; establishing minimum requirements for the commission's proposal; amending s. 112.3145, F.S.; revising the definitions of "local officer" and "specified state employee"; revising procedures for the filing of a statement of financial interests with a candidate's qualifying papers; requiring a person filing a statement of financial interest to indicate the method of reporting income; providing timeframes for the filing of certain complaints; authorizing filing individuals to file an amended statement during a specified timeframe under specified conditions; authorizing the commission to immediately follow complaint procedures under specified conditions; prohibiting the commission from taking action on complaints alleging immaterial, inconsequential, or de minimis errors or omissions; providing what constitutes an immaterial, inconsequential, or de minimis error or omission; authorizing an individual required to file a disclosure to have the statement prepared by an attorney or a certified public accountant; requiring an attorney or certified public accountant to sign the completed disclosure form to indicate compliance with applicable requirements and that the disclosure is true and correct based on reasonable knowledge and belief; providing circumstances under which the commission must determine if an attorney or a certified public accountant failed to disclose information provided by the filing individual on the filed statement; providing that the failure of the attorney or certified public accountant to accurately transcribe information provided by the filing individual does not constitute a violation; authorizing an elected officer or candidate to use funds in an office account or campaign depository to pay an attorney or certified public accountant for preparing a disclosure; creating s. 112.31455, F.S.; requiring the commission to attempt to determine whether an individual owing certain fines is a current public officer or public employee; authorizing the commission to notify the Chief Financial Officer or the governing body of a county, municipality, or special district of the total amount of any fine owed to the commission by such individuals; requiring that the Chief Financial Officer or the governing body of a county, municipality, or special district begin withholding portions of any salary payment that would otherwise be paid to the current public officer or public employee; requiring that the withheld payments be remitted to the commission until the fine is satisfied; authorizing the Chief Financial Officer or the governing body to retain a portion of payment for administrative costs; authorizing collection methods for the commission or the Department of Financial Services for individuals who are no longer public officers or public employees; authorizing the commission to contract with a collection agency; authorizing a collection agency to utilize collection methods authorized by law; authorizing the commission to collect an unpaid fine within a specified period of issuance of the final order; amending s. 112.3147, F.S.; providing an exception to the requirement that all forms be prescribed by the commission; amending s. 112.3148, F.S.; revising the definition of "procurement employee"; creating a definition for "vendor"; prohibiting a reporting individual or procurement employee from soliciting or knowingly accepting a gift from a vendor; deleting references to committees of continuous existence; creating s. 112.31485, F.S.; providing definitions for "gift" and "immediate family"; prohibiting a reporting individual or procurement employee or a member of his or her immediate family from soliciting or knowingly accepting any gift from a political committee; prohibiting a political committee from giving any gift to a

reporting individual or procurement employee or a member of his or her immediate family; providing penalties for a violation; requiring that individuals who violate this section be held personally liable; amending s. 112.3149, F.S.; revising the definition of "procurement employee"; defining the term "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from a vendor; prohibiting a vendor from giving an honorarium to a reporting individual or procurement employee; amending s. 112.317, F.S.; making technical changes; amending s. 112.3215, F.S.; authorizing the commission to investigate sworn complaints alleging a prohibited expenditure; authorizing the commission to investigate a lobbyist or principal upon a sworn complaint or random audit; authorizing the Governor and Cabinet to assess a fine on a lobbyist or principal under specified conditions; providing a civil penalty; amending s. 112.324, F.S.; authorizing specified parties to submit written referrals of a possible violation of the Code of Ethics for Public Officers and Employees or other possible breaches of the public trust to the Commission on Ethics; establishing procedures for the receipt of written referrals by the commission; extending the period in which the disclosure of the intent to file or the filing of a complaint against a candidate is prohibited; providing exceptions; authorizing the commission to dismiss a complaint of a de minimis violation; providing exceptions; defining a de minimis violation; reenacting s. 120.665, F.S., relating to disqualification of agency personnel, to incorporate the amendments to s. 112.3143, F.S., in a reference thereto; reenacting s. 286.012, F.S., relating to voting requirements at meetings of governmental bodies, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 287.175, F.S., relating to penalties, to incorporate the amendments made to s. 112.324, F.S., in a reference thereto; amending s. 288.901, F.S.; conforming a cross-reference; amending s. 445.007, F.S., and reenacting subsection (1) of that section, relating to regional workforce boards, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; conforming cross-references; reenacting s. 627.311(5)(m), F.S., relating to joint underwriters and joint reinsurers, to incorporate the amendments made to s. 112.3143, F.S., in a reference thereto; reenacting s. 627.351(6)(d), F.S., relating to Citizens Property Insurance Corporation, to incorporate the amendments made to s. 112.3143, F.S.; providing an effective date.

Rep. Boyd moved the adoption of the amendment.

Representative Fasano offered the following:

(Amendment Bar Code: 135991)

Amendment 1 to Amendment 1 (with title amendment)—Remove lines 137-150 and insert:

3. No member of the Legislature, appointed state officer, or statewide elected officer shall personally represent another person or entity for compensation before the government body or agency of which the individual was an officer or member for a period of 2 years following vacation of office. No member of the Legislature shall personally represent another person or entity for compensation during his or her term of office, or for a period of 2 years following vacation of office, before any state agency other than judicial tribunals or in settlement negotiations after the filing of a lawsuit. No member shall associate as a partner, principal, employee of a firm, or consultant for a period of 2 years following vacation of office for the purpose of drafting, strategizing, consulting, advising or in any way working on matters that will come before the Legislature or provide networking or relationship building services with sitting members of the Legislature. For purposes of this prohibition, employment, partnership, or association with a principal, firm, or entity whose primary purpose is legislative lobbying is presumptively prohibited unless the principal, firm, entity, or former member first receives an advisory opinion from the commission finding that the proposed employment is in compliance with this section. If the primary purpose of the employer, association, or partnership, principal, firm, or entity affiliating with the former member is legislative lobbying, such entity must file annually a sworn statement with the Secretary of the Senate or the Clerk of the House of

Representatives affirming that the former member did not engage in any of the prohibited activities.

TITLE AMENDMENT

Remove lines 1635-1639 and insert:

conditions; amending s. 112.313, F.S.; providing that a member of the Legislature may not personally represent another person or entity for compensation before any state agency for a specified period following vacation of office; providing that no member of the Legislature may associate as a partner, principal, or employee of a firm whose primary purpose is lobbying the Legislature within a specified period after vacation of office under specified conditions; establishing filing requirements for a sworn statement; creating s. 112.3142, F.S.;

Rep. Fasano moved the adoption of the amendment to the amendment, which failed of adoption.

Representative Fasano offered the following:

(Amendment Bar Code: 022643)

Amendment 2 to Amendment 1 (with title amendment)—Remove lines 311-324 and insert:

7. Prohibit the trustee from investing trust assets in business entities that he or she knows are regulated by or do a significant amount of business with the covered public official's public agency.

8. Provide that the trust is not effective until it is approved by the commission as complying with the requirements of this section.

(d) The obligations of the trustee and the official under the trust agreement must be observed by them.

(e) Within 5 business days after the agreement is executed, the public officer shall file with the commission a copy of the trust agreement and a notice setting forth:

1. The date that the agreement is executed.

2. The name and address of the trustee.

3. The acknowledgement by the trustee that he or she has agreed to serve as trustee.

4. A separate statement signed by the trustee, under penalty of perjury, certifying that he or she will not reveal any information to the covered public official or any person having a beneficial interest in the qualified blind trust, except for information that is authorized under this section, and that, to the best of the trustee's knowledge, the submitted blind trust agreement complies with this section.

5. A complete list of assets placed in the trust.

TITLE AMENDMENT

Remove line 1662 and insert:

with the Commission on Ethics; requiring the Commission on Ethics to approve the terms of the blind trust as qualifying under the law; limiting assets the trustee can own; requiring a covered

Rep. Fasano moved the adoption of the amendment to the amendment.

The absence of a quorum was suggested. A quorum was present [session vote sequence: 198]

The question recurred on adoption of **Amendment 2 to Amendment 1**, which failed of adoption. The vote was:

Session Vote Sequence: 199

Speaker Weatherford in the Chair.

Yeas—41

Antone
Berman

Bracy
Campbell

Castor Dentel
Clarke-Reed

Clelland
Cruz

| | | | |
|-----------|---------------------|---------------|------------|
| Danish | McGhee | Rodríguez, J. | Tobia |
| Dudley | Moskowitz | Rogers | Torres |
| Edwards | Pafford | Rouson | Waldman |
| Fasano | Powell | Saunders | Watson, B. |
| Fullwood | Pritchett | Schwartz | Watson, C. |
| Gibbons | Rangel | Slosberg | Zimmermann |
| Jones, M. | Reed | Stafford | |
| Jones, S. | Rehwinkel Vasilinda | Stewart | |
| Lee | Richardson | Thurston | |

methods provided by law. Except as expressly limited by this section, any other collection methods authorized by law are allowed.

(5) Action may be taken to collect any unpaid fine imposed

Rep. Fasano moved the adoption of the amendment to the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 200

Speaker Weatherford in the Chair.

Yeas—50

| | | | |
|---------------|-----------|---------------------|--------------|
| Antone | Fullwood | Pigman | Stafford |
| Berman | Gaetz | Powell | Stark |
| Bileca | Gibbons | Pritchett | Stewart |
| Bracy | Grant | Rangel | Thurston |
| Campbell | Hood | Reed | Tobia |
| Castor Dentel | Jones, M. | Rehwinkel Vasilinda | Torres |
| Clarke-Reed | Jones, S. | Richardson | Waldman |
| Clelland | Kerner | Rodríguez, J. | Watson, B. |
| Cruz | Lee | Rogers | Watson, C. |
| Danish | McBurney | Rouson | Williams, A. |
| Dudley | McGhee | Saunders | Zimmermann |
| Edwards | Moskowitz | Schwartz | |
| Fasano | Pafford | Slosberg | |

Nays—64

| | | | |
|------------|-------------|-----------|---------------|
| Adkins | Diaz, M. | Moraitis | Renuart |
| Ahern | Fitzenhagen | Nelson | Roberson, K. |
| Albritton | Fresen | Núñez | Rodriguez, R. |
| Artiles | Gonzalez | Oliva | Rooney |
| Baxley | Goodson | O'Toole | Santiago |
| Beshears | Hager | Passidomo | Schenck |
| Boyd | Harrell | Patronis | Smith |
| Brodeur | Holder | Perry | Spano |
| Broxson | Hooper | Peters | Steube |
| Coley | Hudson | Pilon | Stone |
| Combee | Hutson | Porter | Trujillo |
| Corcoran | Ingram | Precourt | Van Zant |
| Crisafulli | La Rosa | Raburn | Weatherford |
| Cummings | Magar | Raschein | Wood |
| Davis | McKeel | Raulerson | Workman |
| Diaz, J. | Metz | Ray | Young |

Votes after roll call:

Yeas—Caldwell, Taylor

Representative Fasano offered the following:

(Amendment Bar Code: 309245)

Amendment 5 to Amendment 1 (with title amendment)—Remove line 1185 and insert:
election or within the 5 days immediately preceding the date

TITLE AMENDMENT

Remove lines 1815-1817 and insert:
commission; providing circumstances under which a complaint or referral against a candidate may be filed before an election; providing

Rep. Fasano moved the adoption of the amendment to the amendment, which failed of adoption. The vote was:

Session Vote Sequence: 201

Speaker Weatherford in the Chair.

Yeas—45

| | | | |
|---------------|-------------|-----------|-----------|
| Antone | Clarke-Reed | Edwards | Jones, S. |
| Berman | Clelland | Fasano | Kerner |
| Bracy | Cruz | Fullwood | Lee |
| Campbell | Danish | Gibbons | McGhee |
| Castor Dentel | Dudley | Jones, M. | Moskowitz |

Nays—72

| | | | |
|------------|-------------|-----------|---------------|
| Adkins | Eagle | McBurney | Ray |
| Ahern | Fitzenhagen | McKeel | Renuart |
| Albritton | Fresen | Metz | Roberson, K. |
| Artiles | Gaetz | Moraitis | Rodriguez, R. |
| Baxley | Gonzalez | Nelson | Rooney |
| Beshears | Goodson | Núñez | Santiago |
| Bileca | Grant | Oliva | Schenck |
| Boyd | Hager | O'Toole | Smith |
| Broxson | Harrell | Passidomo | Spano |
| Caldwell | Holder | Patronis | Steube |
| Coley | Hood | Perry | Stone |
| Combee | Hooper | Peters | Taylor |
| Corcoran | Hudson | Pigman | Trujillo |
| Crisafulli | Hutson | Pilon | Van Zant |
| Cummings | Ingram | Porter | Weatherford |
| Davis | La Rosa | Precourt | Wood |
| Diaz, J. | Magar | Raschein | Workman |
| Diaz, M. | Mayfield | Raulerson | Young |

Votes after roll call:

Yeas—Kerner, Stark, Williams, A.

Nays—Brodeur, Raburn

Representative Fasano offered the following:

(Amendment Bar Code: 162967)

Amendment 3 to Amendment 1 (with directory and title amendment)—Remove lines 433-476 and insert:

(7)(a) An individual required to file a disclosure

DIRECTORY AMENDMENT

Remove line 412 and insert:
subsection (8), and a new subsection (7) is added to

TITLE AMENDMENT

Remove lines 1680-1688 and insert:
complaints;

Rep. Fasano moved the adoption of the amendment to the amendment. Subsequently, **Amendment 3 to Amendment 1** was withdrawn.

Representative Fasano offered the following:

(Amendment Bar Code: 041405)

Amendment 4 to Amendment 1—Remove lines 803-813 and insert:
final:

(a) Record the final order as a judgment lien against any real or personal property within the state pursuant to chapter 55. Upon recording the order imposing the fine with the clerk of the circuit court, the order shall be deemed a judgment for purposes of chapter 55; or

(b) Seek garnishment of any wages to satisfy the amount of the fine, or any unpaid portion thereof, pursuant to chapter 77. Upon recording the order imposing the fine with the clerk of the circuit court, the order shall be deemed a judgment for purposes of garnishment pursuant to chapter 77.

(3) If a person holds an interest of \$10,000 or less in a single motor vehicle as defined in s. 320.01, that interest is exempt from the collection methods authorized by this section.

(4) The commission may refer unpaid fines to the appropriate collection agency, as directed by the Chief Financial Officer, to utilize any collection

| | | | |
|---------------------|---------------|----------|--------------|
| Pafford | Rodríguez, J. | Stark | Watson, B. |
| Powell | Rogers | Stewart | Watson, C. |
| Pritchett | Rouson | Taylor | Williams, A. |
| Rangel | Saunders | Thurston | Zimmermann |
| Reed | Schwartz | Tobia | |
| Rehwinkel Vasilinda | Slosberg | Torres | |
| Richardson | Stafford | Waldman | |

(Amendment Bar Code: 319465)

Amendment 8 to Amendment 1 (with title amendment)—Between lines 1621 and 1622, insert:

Section 25. Subsection (1) of section 99.021, Florida Statutes, is amended to read:

99.021 Form of candidate oath.—

(1)(a)1. Each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office as defined in chapter 105 or a federal office, shall take and subscribe to an oath or affirmation in writing. A copy of the oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida

County of...

Before me, an officer authorized to administer oaths, personally appeared ... (please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is a qualified elector of County, Florida; that he or she is qualified under the Constitution and the laws of Florida to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; that he or she has resigned from any office from which he or she is required to resign pursuant to s. 99.012, Florida Statutes; that he or she has no outstanding debt incurred after January 1, 2014, in its final form owed to the Florida Commission on Ethics; and that he or she will support the Constitution of the United States and the Constitution of the State of Florida.

...(Signature of candidate)...

...(Address)...

Sworn to and subscribed before me this day of ..., (year)..., at County, Florida.

...(Signature and title of officer administering oath)...

2. Each candidate for federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to office shall take and subscribe to an oath or affirmation in writing. A copy of the oath or affirmation shall be made available to the candidate by the officer before whom such candidate seeks to qualify and shall be substantially in the following form:

State of Florida

County of ...

Before me, an officer authorized to administer oaths, personally appeared ... (please print name as you wish it to appear on the ballot)..., to me well known, who, being sworn, says that he or she is a candidate for the office of; that he or she is qualified under the Constitution and laws of the United States to hold the office to which he or she desires to be nominated or elected; that he or she has qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with that of the office he or she seeks; and that he or she will support the Constitution of the United States.

...(Signature of candidate)...

...(Address)...

Sworn to and subscribed before me this day of ..., (year)..., at County, Florida.

...(Signature and title of officer administering oath)...

(b) In addition, any person seeking to qualify for nomination as a candidate of any political party shall, at the time of subscribing to the oath or affirmation, state in writing:

1. The party of which the person is a member.

2. That the person has not been a registered member of any other political party for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify.

3. That the person has paid the assessment levied against him or her, if any, as a candidate for said office by the executive committee of the party of which he or she is a member.

Nays—71

| | | | |
|------------|-------------|-----------|---------------|
| Adkins | Diaz, M. | McBurney | Ray |
| Ahern | Fitzenhagen | Metz | Renuart |
| Albritton | Fresen | Moraitis | Roberson, K. |
| Artiles | Gaetz | Nelson | Rodrigues, R. |
| Baxley | Gonzalez | Núñez | Rooney |
| Beshears | Goodson | Oliva | Santiago |
| Bileca | Grant | O'Toole | Schenck |
| Boyd | Hager | Passidomo | Smith |
| Brodeur | Harrell | Patronis | Spano |
| Broxson | Holder | Perry | Steube |
| Caldwell | Hood | Peters | Stone |
| Coley | Hooper | Pigman | Trujillo |
| Combee | Hudson | Pilon | Van Zant |
| Corcoran | Hutson | Porter | Weatherford |
| Crisafulli | Ingram | Precourt | Wood |
| Cummings | La Rosa | Raburn | Workman |
| Davis | Magar | Raschein | Young |
| Diaz, J. | Mayfield | Raulerson | |

Representative Tobia offered the following:

(Amendment Bar Code: 056705)

Amendment 6 to Amendment 1 (with title amendment)—Between lines 1621 and 1622, insert:

Section 25. It is unlawful for a member of the Legislature or a company controlled by a member of the Legislature to be paid as a vendor from a candidate's campaign account by a person seeking nomination or election to a state or local elective office in this state.

TITLE AMENDMENT

Between lines 1841 and 1842, insert:
prohibiting certain persons and companies from being paid as a vendor from a candidate's campaign account by persons seeking nomination or election to a state or local elective office;

Rep. Tobia moved the adoption of the amendment to the amendment. Subsequently, **Amendment 6 to Amendment 1** was withdrawn.

Representative Williams, A. offered the following:

(Amendment Bar Code: 838193)

Amendment 7 to Amendment 1 (with title amendment)—Between lines 1621 and 1622, insert:

Section 25. Paragraph (e) is added to subsection (2) of section 101.151, Florida Statutes, to read:

101.151 Specifications for ballots.—

(2)

(e) In any election, in addition to the names printed on the ballot, the ballot shall indicate if a candidate owes an outstanding debt in its final form to the Commission on Ethics.

TITLE AMENDMENT

Between lines 1841 and 1842, insert:
amending s. 101.151, F.S.; requiring ballots to indicate outstanding debts to the Commission on Ethics;

Rep. A. Williams moved the adoption of the amendment to the amendment, which failed of adoption.

Representative Williams, A. offered the following:

(c) The officer before whom such person qualifies shall certify the name of such person to the supervisor of elections in each county affected by such candidacy so that the name of such person may be printed on the ballot. Each person seeking election as a write-in candidate shall subscribe to the oath prescribed in this section in order to be entitled to have write-in ballots cast for him or her counted.

TITLE AMENDMENT

Between lines 1841 and 1842, insert:
amending s. 99.021, F.S.; revising the form of candidate oath of office;

Rep. A. Williams moved the adoption of the amendment to the amendment. Subsequently, **Amendment 8 to Amendment 1** was withdrawn.

The question recurred on the adoption of **Amendment 1**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

On motion by Rep. Boyd, the rules were waived and **CS for SB 2** was read the third time by title.

Rules & Calendar Committee offered the following:

(Amendment Bar Code: 138921)

Technical Amendment 2—Remove lines 5-6 and insert:

Section 1. Subsection (5) and paragraph (b) of subsection (12) of section 112.312, Florida Statutes, are amended to read:

Rep. Schenck moved the adoption of the amendment, which was adopted.

The question recurred on the passage of **CS for SB 2**. The vote was:

Session Vote Sequence: 202

Speaker Weatherford in the Chair.

Yeas—117

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Edwards | Nelson | Rouson |
| Ahern | Fasano | Núñez | Santiago |
| Albritton | Fitzenhagen | Oliva | Saunders |
| Antone | Fresen | O'Toole | Schenck |
| Artiles | Fullwood | Pafford | Schwartz |
| Baxley | Gaetz | Passidomo | Slosberg |
| Berman | Gibbons | Patronis | Smith |
| Beshears | Gonzalez | Perry | Spano |
| Bileca | Goodson | Peters | Stafford |
| Boyd | Grant | Pigman | Stark |
| Bracy | Hager | Pilon | Steube |
| Brodeur | Harrell | Porter | Stewart |
| Broxson | Holder | Powell | Stone |
| Caldwell | Hood | Precourt | Taylor |
| Campbell | Hooper | Pritchett | Thurston |
| Castor Dentel | Hudson | Raburn | Torres |
| Clarke-Reed | Hutson | Rader | Trujillo |
| Clelland | Ingram | Rangel | Van Zant |
| Coley | Jones, M. | Raschein | Waldman |
| Combee | Jones, S. | Raulerson | Watson, B. |
| Corcoran | Kerner | Ray | Watson, C. |
| Crisafulli | La Rosa | Reed | Weatherford |
| Cruz | Lee | Rehwinkel Vasilinda | Williams, A. |
| Cummings | Magar | Renuart | Wood |
| Danish | Mayfield | Richardson | Workman |
| Davis | McBurney | Roberson, K. | Young |
| Diaz, J. | McGhee | Rodriguez, R. | Zimmermann |
| Diaz, M. | Metz | Rodriguez, J. | |
| Dudley | Moraitis | Rogers | |
| Eagle | Moskowitz | Rooney | |

Nays—None

Votes after roll call:

Yeas—Tobia

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7133 was taken up. On motion by Rep. Boyd, the House agreed to substitute CS for SB 4 for HB 7133 and read CS for SB 4 the second time by title. Under Rule 5.13, the House bill was laid on the table.

CS for SB 4—A bill to be entitled An act relating to public records and meetings; amending s. 112.324, F.S.; creating an exemption from public records requirements for written referrals and related records held by the Commission on Ethics, the Governor, the Department of Law Enforcement, or a state attorney; creating an exemption for records relating to a preliminary investigation held by the Commission on Ethics; creating an exemption from public meetings requirements for portions of proceedings of the Commission on Ethics in which the referrals are discussed or acted upon; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title. On motion by Rep. Boyd, the rules were waived and the bill was read the third time by title. On passage, the vote was:

Session Vote Sequence: 203

Speaker Weatherford in the Chair.

Yeas—112

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moskowitz | Rogers |
| Ahern | Edwards | Nelson | Rooney |
| Albritton | Fasano | Núñez | Rouson |
| Antone | Fitzenhagen | Oliva | Santiago |
| Artiles | Fresen | O'Toole | Saunders |
| Baxley | Fullwood | Pafford | Schenck |
| Berman | Gaetz | Passidomo | Schwartz |
| Beshears | Gibbons | Patronis | Slosberg |
| Bileca | Gonzalez | Perry | Smith |
| Boyd | Goodson | Peters | Spano |
| Bracy | Grant | Pigman | Stafford |
| Brodeur | Hager | Pilon | Stark |
| Caldwell | Harrell | Porter | Steube |
| Campbell | Holder | Powell | Stewart |
| Castor Dentel | Hood | Precourt | Stone |
| Clarke-Reed | Hooper | Pritchett | Taylor |
| Clelland | Hudson | Raburn | Thurston |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | La Rosa | Raulerson | Waldman |
| Cruz | Lee | Ray | Watson, B. |
| Cummings | Magar | Reed | Watson, C. |
| Danish | Mayfield | Rehwinkel Vasilinda | Weatherford |
| Davis | McBurney | Renuart | Williams, A. |
| Diaz, J. | McGhee | Richardson | Wood |
| Diaz, M. | Metz | Roberson, K. | Young |
| Dudley | Moraitis | Rodriguez, R. | Zimmermann |

Nays—1

Rodriguez, J.

Votes after roll call:

Yeas—Hutson, Kerner, Tobia

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

CS/CS/HB 49—A bill to be entitled An act relating to retail sale of smoking devices; amending s. 569.0073, F.S.; prohibiting the retail sale of certain smoking pipes and devices; providing penalties; amending s. 569.006, F.S.; authorizing the imposition of administrative penalties upon

retail tobacco products dealers who commit certain offenses related to drug paraphernalia; providing an effective date.

—was read the second time by title.

REPRESENTATIVE WORKMAN IN THE CHAIR

Representative Rouson offered the following:

(Amendment Bar Code: 277001)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (6) is added to section 893.147, Florida Statutes, to read:

893.147 Use, possession, manufacture, delivery, transportation, ~~or~~ advertisement, or retail sale of drug paraphernalia.—

(6) RETAIL SALE OF DRUG PARAPHERNALIA.—

(a) It is unlawful for a person to knowingly and willfully sell or offer for sale at retail any drug paraphernalia described in s. 893.145(12)(a)-(c) or (g)-(m), other than a pipe that is primarily made of briar, meerschaum, clay or corn cob.

(b) A person who violates paragraph (a) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, and, upon a second or subsequent violation, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect July 1, 2013.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to drug paraphernalia; amending s. 893.147, F.S.; prohibiting the retail sale of certain drug paraphernalia; providing criminal penalties; providing an effective date.

Rep. Rouson moved the adoption of the amendment, which was adopted.

On motion by Rep. Rouson, the rules were waived and **CS/CS/HB 49** was read the third time by title. On passage, the vote was:

Session Vote Sequence: 204

Representative Workman in the Chair.

Yeas—112

| | | | |
|---------------|-------------|------------|---------------|
| Adkins | Eagle | McGhee | Roberson, K. |
| Ahern | Edwards | Metz | Rodriguez, R. |
| Albritton | Fasano | Moraitis | Rogers |
| Antone | Fitzenhagen | Moskowitz | Rooney |
| Artiles | Fresen | Nelson | Rouson |
| Baxley | Fullwood | Nuñez | Santiago |
| Berman | Gaetz | Oliva | Saunders |
| Bileca | Gibbons | O'Toole | Schenck |
| Boyd | Gonzalez | Passidomo | Schwartz |
| Brodeur | Goodson | Patronis | Slosberg |
| Broxson | Grant | Perry | Smith |
| Caldwell | Hager | Peters | Spano |
| Campbell | Harrell | Pigman | Stafford |
| Castor Dentel | Holder | Pilon | Stark |
| Clarke-Reed | Hood | Porter | Steube |
| Clelland | Hooper | Powell | Stewart |
| Coley | Hudson | Precourt | Stone |
| Combee | Hutson | Pritchett | Taylor |
| Corcoran | Ingram | Rabum | Thurston |
| Crisafulli | Jones, M. | Rader | Torres |
| Cruz | Jones, S. | Rangel | Trujillo |
| Cummings | Kerner | Raschein | Van Zant |
| Danish | La Rosa | Raulerson | Waldman |
| Davis | Lee | Ray | Watson, B. |
| Diaz, J. | Magar | Reed | Watson, C. |
| Diaz, M. | Mayfield | Renuart | Weatherford |
| Dudley | McBurney | Richardson | Williams, A. |

Wood Workman Young Zimmermann

Nays—3

Beshears Pafford Tobia

Votes after roll call:

Yeas—Rodriguez, J.

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/CS/HB 85—A bill to be entitled An act relating to public-private partnerships; amending s. 255.60, F.S.; authorizing certain public entities to contract for public service works with not-for-profit organizations; revising eligibility and contract requirements for not-for-profit organizations contracting with certain public entities; creating s. 287.05712, F.S.; providing definitions; providing legislative findings and intent relating to the construction or improvement by private entities of facilities used predominantly for a public purpose; creating a task force to establish specified guidelines; providing procurement procedures; providing requirements for project approval; providing project qualifications and process; providing for notice to affected local jurisdictions; providing for interim and comprehensive agreements between a public and a private entity; providing for use fees; providing for financing sources for certain projects by a private entity; providing powers and duties of private entities; providing for expiration or termination of agreements; providing for the applicability of sovereign immunity for public entities with respect to qualified projects; providing for construction of the act; creating s. 336.71, F.S.; authorizing counties to enter into public-private partnership agreements to construct, extend, or improve county roads; providing requirements and limitations for such agreements; providing procurement procedures; requiring a fee for certain proposals; providing an effective date.

—was read the second time by title.

Representative Davis offered the following:

(Amendment Bar Code: 605279)

Amendment 1 (with title amendment)—Between lines 754 and 755, insert:

Section 4. Paragraph (d) of subsection (2) of section 348.754, Florida Statutes, is amended to read:

348.754 Purposes and powers.—

(2) The authority is hereby granted, and shall have and may exercise all powers necessary, appurtenant, convenient or incidental to the carrying out of the aforesaid purposes, including, but without being limited to, the following rights and powers:

(d) To enter into and make leases for terms not exceeding 99 ~~40~~ years, as either lessee or lessor, in order to carry out the right to lease as set forth in this part.

TITLE AMENDMENT

Between lines 30 and 31, insert:

amending s. 348.754, F.S.; revising the limit on terms for leases that the Orlando-Orange County Expressway Authority may enter;

Rep. Davis moved the adoption of the amendment, which was adopted.

Representative Steube offered the following:

(Amendment Bar Code: 154099)

Amendment 2 (title amendment)—Between lines 754 and 755, insert:

Section 4. Paragraph (c) of subsection (1), paragraph (a) of subsection (2), paragraph (a) of subsection (3), and paragraph (a) of subsection (7) of section 1010.62, Florida Statutes, are amended to read:

1010.62 Revenue bonds and debt.—

(1) As used in this section, the term:

(c) "Debt" means bonds, except revenue bonds as defined in paragraph (e), loans, promissory notes, lease-purchase agreements, certificates of participation, installment sales, leases, public-private partnership agreements, or any other financing mechanism or financial arrangement, whether or not a debt for legal purposes, for financing or refinancing for or on behalf of a state university or a direct-support organization or for the acquisition, construction, improvement, or purchase of capital outlay projects.

(2)(a) The Board of Governors may request the issuance of revenue bonds pursuant to the State Bond Act and s. 11(d), Art. VII of the State Constitution to finance or refinance capital outlay projects permitted by law. Revenue bonds may be secured by or payable only from those revenues authorized for such purpose, including the Capital Improvement Trust Fund fee, ~~the building fee~~, the health fee, the transportation access fee, hospital revenues, or those revenues derived from or received in relation to sales and services of auxiliary enterprises or component units of the university, including, but not limited to, housing, transportation, health care, research or research-related activities, food service, retail sales, athletic activities, or other similar services, other revenues attributable to the projects to be financed or refinanced, any other revenue approved by the Legislature for facilities construction or for securing revenue bonds issued pursuant to s. 11(d), Art. VII of the State Constitution, or any other revenues permitted by law. Revenues from the activity and service fee and the athletic fee may be used to pay and secure revenue bonds except that the annual debt service may shall not exceed an amount equal to 5 percent of the fees collected during the most recent 12 consecutive months for which collection information is available before prior to the sale of the bonds. The assets of a university foundation and the earnings thereon may also be used to pay and secure revenue bonds of the university or its direct-support organizations. Revenues from royalties and licensing fees may also be used to pay and secure revenue bonds so long as either the facilities being financed are functionally related to the university operation or direct-support organization reporting such royalties and licensing fees, or such revenues are used to secure revenue bonds issued to finance academic, educational, or research facilities that are part of a multipurpose capital outlay project. Revenue bonds may not be secured by or be payable from, directly or indirectly, tuition, the financial aid fee, ~~sales and services of educational departments~~, revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys not required for the payment of direct costs, or any other operating revenues of a state university. Revenues from one auxiliary enterprise may ~~not~~ be used to secure revenue bonds of another ~~only if unless~~ the Board of Governors, after review and analysis, determines that either the facilities being financed are functionally related to the auxiliary enterprise revenues being used to secure such revenue bonds or such revenues are used to secure revenue bonds issued to finance academic, educational, or research facilities that are part of a multipurpose capital outlay project.

(3)(a) A state university or direct-support organization may not issue debt without the approval of the Board of Governors. The Board of Governors may approve the issuance of debt by a state university or a direct-support organization only when such debt is used to finance or refinance capital outlay projects. The debt may be secured by or payable only from those revenues authorized for such purpose, including the health fee, the transportation access fee, hospital revenues, or those revenues derived from or received in relation to sales and services of auxiliary enterprises or component units of the university, including, but not limited to, housing, transportation, health care, research or research-related activities, food service, retail sales, athletic activities, or other similar services. Revenues derived from the activity and service fee and the athletic fee may be used to pay and secure debt except that the annual debt service may shall not exceed an amount equal to 5 percent of the fees collected during the most recent 12 consecutive months for which collection information is available before prior to incurring the debt. The assets of university foundations and the earnings thereon may be used to pay and secure debt of the university or its direct-support organizations. Gifts and donations or pledges of gifts may also be used to secure debt so long as the maturity of the debt, including extensions, renewals, and refundings, does not exceed 5 years. Revenues from royalties

and licensing fees may also be used to secure debt so long as either the facilities being financed are functionally related to the university operation or direct-support organization reporting such royalties and licensing fees or such revenues are used to secure debt issued to finance academic, educational, or research facilities that are part of a multipurpose capital outlay project. The debt may not be secured by or be payable from, directly or indirectly, tuition, the financial aid fee, ~~sales and services of educational departments~~, revenues from grants and contracts, except for money received for overhead and indirect costs and other moneys not required for the payment of direct costs of grants, or any other operating revenues of a state university. The debt of direct-support organizations may not be secured by or be payable under an agreement or contract with a state university unless the source of payments under such agreement or contract is limited to revenues that universities are authorized to use for payment of debt service. Revenues from one auxiliary enterprise may ~~not~~ be used to secure debt of another ~~only if unless~~ the Board of Governors, after review and analysis, determines that either the facilities being financed are functionally related to the auxiliary enterprise revenues being used to secure such debt or such revenues are used to secure debt issued to finance academic, educational, or research facilities that are part of a multipurpose capital outlay project. Debt may not be approved to finance or refinance operating expenses of a state university or a direct-support organization. The maturity of debt used to finance or refinance the acquisition of equipment or software, including any extensions, renewals, or refundings thereof, shall be limited to 5 years or the estimated useful life of the equipment or software, whichever is shorter. The Board of Governors may establish conditions and limitations on such debt as it determines to be advisable.

(7)(a) As required pursuant to s. 11(d), Art. VII of the State Constitution and subsection (6), the Legislature approves capital outlay projects meeting the following requirements:

1. The project is located on a campus of a state university or on land leased to the university or is used for activities relating to the state university;
2. The project is included in the master plan of the state university or is for facilities that are not required to be in a university's master plan;
3. The project is approved by the Board of Governors as being consistent with the strategic plan of the state university and the programs offered by the state university; and
4. The project is for purposes relating to the housing, transportation, health care, research or research-related activities, food service, retail sales, ~~or~~ student activities, or academic or educational activities that are part of a multipurpose capital outlay project of the state university.

TITLE AMENDMENT

Between lines 30 and 31, insert:

amending s. 1010.62, F.S.; adding public-private partnership agreements to the definition of the term university "debt"; revising sources that may be used to secure or pay revenue bonds; authorizing revenues from royalties and licensing and auxiliary enterprise revenues to be used to secure debt for academic, educational, and research facilities that are part of a multipurpose project; authorizing academic and educational activities to be bonded without legislative approval of the specific project;

Rep. Steube moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 109 was taken up. On motion by Rep. Young, the House agreed to substitute CS for SB 364 for CS/HB 109 and read CS for SB 364 the second time by title. Under Rule 5.13, the House bill was laid on the table.

CS for SB 364—A bill to be entitled An act relating to consumptive use permits for development of alternative water supplies; amending s. 373.236, F.S.; revising conditions for issuance of permits; providing for the issuance, extension, and review of permits approved on or after a certain date; providing for applicability; providing an effective date.

—was read the second time by title and under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of CS/CS/HB 159 was temporarily postponed.

CS/CS/CS/HB 487—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Freemasonry license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 903—A bill to be entitled An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; providing an effective date.

—was read the second time by title.

Representative Davis offered the following:

(Amendment Bar Code: 127075)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsections (1), (2), and (3) of section 95.18, Florida Statutes, are amended, and subsections (9) and (10) are added to that section, to read:

95.18 Real property actions; adverse possession without color of title.—

(1) When the ~~possessor occupant~~ has, or those under whom the occupant claims have, been in actual continued possession ~~occupation~~ of real property for 7 years under a claim of title exclusive of any other right, but not founded on a written instrument, judgment, or decree, or when those under whom the possessor claims meet these criteria, the property actually possessed occupied ~~is held adversely if the person claiming adverse possession;~~

(a) Paid, subject to s. 197.3335, all outstanding taxes and matured installments of special improvement liens levied against the property by the state, county, and municipality within 1 year after entering into possession;

(b) Made a return, as required under subsection (3), of the property by proper legal description to the property appraiser of the county where it is located within 30 days 1 year after complying with paragraph (a) entering into possession and;

(c) Has subsequently paid, subject to s. 197.3335, all taxes and matured installments of special improvement liens levied against the property by the state, county, and municipality for all remaining years necessary to establish a claim of adverse possession.

(2) For the purpose of this section, property is deemed to be possessed if the property has been:

(a) Protected by substantial enclosure; or

(b) Cultivated, maintained, or improved in a usual manner; ~~or~~

~~(c) Occupied and maintained.~~

(3) A person claiming adverse possession under this section must make a return of the property by providing to the property appraiser a uniform return on a form provided by the Department of Revenue. The return must include all of the following:

(a) The name and address of the person claiming adverse possession.

(b) The date that the person claiming adverse possession entered into possession of the property.

(c) A full and complete legal description of the property that is subject to the adverse possession claim.

(d) A notarized attestation clause that states:

UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING RETURN AND THAT THE FACTS STATED IN IT ARE TRUE AND CORRECT. I FURTHER ACKNOWLEDGE THAT THE RETURN DOES NOT CREATE ANY INTEREST ENFORCEABLE BY LAW IN THE DESCRIBED PROPERTY.

(e) A description of the use of the property by the person claiming adverse possession.

(f) A receipt to be completed by the property appraiser.

(g) Dates of payment by the possessor of all outstanding taxes and matured installments of special improvement liens levied against the property by the state, county, or municipality under paragraph (1)(a).

(h) The following notice provision at the top of the first page, printed in at least 12-point uppercase and boldfaced type:

THIS RETURN DOES NOT CREATE ANY INTEREST ENFORCEABLE BY LAW IN THE DESCRIBED PROPERTY.

The property appraiser shall refuse to accept a return if it does not comply with this subsection. The executive director of the Department of Revenue is authorized, and all conditions are deemed met, to adopt emergency rules under ss. 120.536(1) and 120.54(4) for the purpose of implementing this subsection. The emergency rules shall remain in effect for 6 months after adoption and may be renewed during the pendency of procedures to adopt rules addressing the subject of the emergency rules.

(9) A person who occupies or attempts to occupy a residential structure solely by claim of adverse possession under this section prior to making a return as required under subsection (3), commits trespass under s. 810.08.

(10) A person who occupies or attempts to occupy a residential structure solely by claim of adverse possession under this section and offers the property for lease to another commits theft under s. 812.014.

Section 2. Subsection (1) of section 197.3335, Florida Statutes, is amended to read:

197.3335 Tax payments when property is subject to adverse possession; refunds.—

(1) Upon the receipt of a subsequent payment for the same annual tax assessment for a particular parcel of property, the tax collector must determine whether an adverse possession return has been submitted on the particular parcel. If an adverse possession return has been submitted, or is submitted within 30 days of the earlier payment, the tax collector must comply with subsection (2).

Section 3. This act shall take effect July 1, 2013.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to adverse possession; amending s. 95.18, F.S.; revising terminology; requiring certain conditions to be met before real property is legally adversely possessed without color of title; requiring a person claiming adverse possession to make a return of the property by providing the return to the property appraiser using a uniform return; specifying the contents of the return; requiring the return to contain a notice; providing criminal penalties; amending s. 197.3335, F.S.; revising provisions to conform to changes made by the act; providing an effective date.

Rep. Davis moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 969—A bill to be entitled An act relating to recreational vehicle parks; amending s. 513.01, F.S.; defining the term "occupancy"; creating s. 513.1115, F.S.; providing requirements for the establishment of separation and setback distances in parks; repealing s. 513.111, F.S., relating to the posting of site rental rates, advertising, and penalties; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 999—A bill to be entitled An act relating to environmental regulation; amending s. 20.255, F.S.; authorizing the Department of Environmental Protection to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending ss. 125.022 and 166.033, F.S.; providing requirements for the review of development permit applications by counties and municipalities; amending s. 211.3103, F.S.; revising the definition of "phosphate-related expenses" to include maintenance and restoration of certain lands; amending s. 253.0345, F.S.; revising provisions for the duration of leases and letters of consent issued by the Board of Trustees of the Internal Improvement Trust Fund for special events; providing conditions for fees relating to such leases and letters of consent; creating s. 253.0346, F.S.; defining the term "first-come, first-served basis"; providing conditions for the discount and waiver of lease fees and surcharges for certain marinas, boatyards, and marine retailers; providing applicability; amending s. 253.0347, F.S.; providing exemptions from lease fees for certain lessees; amending s. 373.118, F.S.; deleting provisions requiring the department to adopt general permits for public marina facilities; deleting certain requirements under general permits for public marina facilities and mooring fields; limiting the number of vessels for mooring fields authorized under such permits; providing for the department to issue certain leases; amending s. 373.233, F.S.; clarifying conditions for competing consumptive use of water applications; amending s. 373.236, F.S.; prohibiting water management districts from reducing certain allocations as a result of seawater desalination plant activities; providing an exception; amending s. 373.246, F.S.; authorizing the department or governing board to notify permittees by electronic mail of permit changes under certain conditions; amending s. 373.308, F.S.; providing that issuance of well permits is the sole responsibility of water management districts, delegated local governments, and local county health departments; prohibiting certain counties and other government entities from imposing requirements and fees and establishing programs for installation and abandonment of groundwater wells; amending s. 373.323, F.S.; providing that licenses issued by water management districts are the only water well contractor licenses required for construction, repair, or abandonment of water wells; authorizing licensed water well contractors to install equipment for all water systems; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 376.30713, F.S.; increasing the amount of funding for preapproved advanced cleanup work contracts; increasing the amount of funding a facility is eligible for in each fiscal year; amending s. 376.313, F.S.; holding harmless a person who discharges pollution pursuant to ch. 403, F.S.; amending s. 403.031, F.S.; defining the term "beneficiary"; amending s. 403.061, F.S.; authorizing the department to adopt rules requiring or incentivizing the electronic submission of certain forms, documents, fees, and reports; amending s. 403.0872, F.S.; extending the payment deadline of permit fees for major sources of air pollution and conforming the date for related notice by the department; revising provisions for the calculation of such annual fees; amending s. 403.088, F.S.; revising conditions for denial of water pollution operation permit applications; amending s. 403.0893, F.S.; authorizing a local government to charge stormwater utility fees to the beneficiaries of the stormwater utility; providing for the collection of delinquent fees; amending s. 403.7046, F.S.; prohibiting local governments from using information contained in recovered materials dealer registration applications for specified purposes; providing that a recovered materials dealer may seek injunctive relief and damages for certain violations; amending s. 403.813, F.S.; revising conditions under which certain permits are not required for seawall restoration projects; creating s. 403.8141, F.S.; requiring the Department of Environmental Protection to establish general permits for special events; providing permit requirements; amending s. 403.973, F.S.; authorizing expedited permitting for natural gas pipelines, subject to specified certification; providing that natural gas pipelines are subject to certain requirements; providing that natural gas pipelines are eligible for certain review; providing for applicability of specified changes made by the act; providing for legislative ratification and approval of specified leases approved by the Board of Trustees of the Internal Improvement Trust Fund;

providing legislative findings with respect to such leases; providing an effective date.

—was read the second time by title.

Representative Patronis offered the following:

(Amendment Bar Code: 784427)

Amendment 1—Remove lines 441-470 and insert:

(13) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, applies to construction, alteration, operation, or maintenance of any wholly owned, manmade excavated farm ponds, as defined in s. 403.927, constructed entirely in uplands. Alteration or maintenance may not involve any work to connect the farm pond to, or expand the farm pond into, other wetlands or other surface waters. This exemption does not apply to any farm pond that covers an area greater than 15 acres and has an average depth greater than 15 feet, or is less than 50 feet from any wetlands.

(14) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, may require a permit for activities affecting wetlands created solely by the unauthorized flooding or interference with the natural flow of surface water caused by an unaffiliated adjoining landowner. Requests to qualify for this exemption must be made within 7 years after the cause of such unauthorized flooding or unauthorized interference with the natural flow of surface water and must be submitted in writing to the district or department. Such activities may not begin without a written determination from the district or department confirming that the activity qualifies for the exemption. This exemption does not expand the jurisdiction of the department or the water management districts and does not apply to activities that discharge dredged or fill material into waters of the United States, including wetlands, subject to federal jurisdiction under s. 404 of the federal Clean Water Act, 33 U.S.C. s. 1344.

(15) Any independent water control district created before July 1, 2013, and operating pursuant to chapter 298 for which a valid environmental resource permit has been issued pursuant to this part or a federal wetlands permit authorized under s. 404 of the federal Clean Water Act, 33 U.S.C. s. 1344, has been issued, is exempt from further wetlands regulations imposed pursuant to chapters 125, 163, and 166.

Rep. Patronis moved the adoption of the amendment, which was adopted.

Representative Raburn offered the following:

(Amendment Bar Code: 098311)

Amendment 2 (with title amendment)—Between lines 911 and 912, insert:

Section 28. Florida Fertilizer Regulatory Review Council.-

(1) The Legislature finds that:

(a) A science-based approach to the protection of the state's waterways is in the public interest of the state.

(b) Varying state and local regulations govern the regulation of nonagricultural fertilizer or its use, and inconsistencies resulting from varying regulations may affect commerce and impact water quality in this state.

(c) It is advisable to identify practices or a combination of practices, which, based on field testing, expert review, and scientific information, individually or cumulatively protect the quality of water in the state.

(2) There is created the Florida Fertilizer Regulatory Review Council for the purpose of:

(a) Performing a comprehensive review of existing scientific data relating to the environmental fate of nutrients in urban settings. Such review shall include to the greatest extent practical:

1. The sources of nutrients.

2. The origin of nutrient sources.

3. An estimate of the percentage of nutrients contributed by each nutrient source.

4. Nutrient enrichment impacts of nonagricultural fertilizers on surface waters.

5. An assessment of technically and economically feasible management strategies for reducing water quality impacts associated with the regulation of nonagricultural fertilizer or its use including, but not limited to, prohibited application periods, setbacks from water bodies, and identification of additional research needs.

(b) Performing a comprehensive review of the Department of Agriculture and Consumer Services' rule 5E-1.003(2), Florida Administrative Code; the Department of Environmental Protection's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes 2010; and all local ordinances in the state regulating nonagricultural fertilizer or its use.

(c) Reviewing existing state laws and rules relating to the regulation of nonagricultural fertilizer or its use.

(d) Recommending technically-feasible, economically-feasible, and enforceable methods and management strategies, based upon best available data and science, that promote consistency in state and local regulation of nonagricultural fertilizer or its use where possible while balancing the need to accommodate reasonable regional and local differences necessary to meet state water quality standards.

(e) Holding public hearings and taking public testimony concerning the regulation of nonagricultural fertilizers or its use as well as related matters.

(f) Recommending amendments to the Department of Environmental Protection's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes 2010 based upon the council's findings after considering consistency with the Department of Agriculture and Consumer Services' rule 5E-1.003(2), Florida Administrative Code.

(g) Recommending state policies for the regulation of nonagricultural fertilizer or its use, including identification of additional research that may inform future state policies.

(3) The council shall be composed of 15 members as follows:

(a) Four members appointed by the Secretary of Environmental Protection, one of whom shall be the Secretary or his or her designee and shall serve as the department's representative, one of whom shall be a representative of the environmental community, one of whom shall be a water quality scientist with experience in addressing water quality issues in Florida, and one of whom shall be a representative of a water management district.

(b) Four members appointed by the Commissioner of Agriculture, one of whom shall be a representative of the Department of Agriculture and Consumer Services, one of whom shall be a representative of the University of Florida Institute of Food and Agricultural Sciences, one of whom shall be a member of the retail industry in the state, and one of whom shall be a representative of the University of Florida Water Institute.

(c) Two members appointed by the President of the Senate, one of whom shall be a representative of the pest control trade associations in the state and one of whom shall be a representative of the Florida Golf Course Superintendents Association.

(d) Two members appointed by the Speaker of the House of Representatives, one of whom shall be a representative of the fertilizer industry in the state and one of whom shall be a representative of the landscape and lawn care trade associations in the state.

(e) One member appointed by the Florida League of Cities.

(f) One member appointed by the Florida Association of Counties.

(g) One member appointed by the Florida Stormwater Association.

(h) Each person or entity appointing members to the council shall appoint an alternate member for each position on the council in the same manner as each primary member is appointed. An alternate member may attend and participate in public meetings of the council in the absence of the primary member, but may not vote as a member of the council. In the event of a vacancy in a position on the council, the alternate member for the vacant position shall serve on the council as a voting member until the vacancy is filled by the person or entity responsible for appointing a member to that position.

(i) Appointments of members and alternate members to the council must be made on or before September 1, 2013.

(j) A council member or alternate member may not be a registered lobbyist of any association, group, or entity represented on the council. This

prohibition does not apply to the representative of the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the water management districts, the University of Florida Institute for Food and Agricultural Sciences, or the University of Florida Water Institute.

(k) Private sector members of the council may not receive per diem or reimbursement for travel expenses from the state.

(4) The council shall operate as follows:

(a) The two members representing the Department of Agriculture and Consumer Services and the Department of Environmental Protection shall serve as co-chairs of the council. The representative of the Department of Agriculture and Consumer Services shall call the first meeting of the council.

(b) The council shall be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of Environmental Protection.

(c) The council is assigned to the Department of Agriculture and Consumer Services for administrative purposes.

(d) At least eight voting members must be present for the council to conduct business. Members may not vote by proxy. Except as provided in this section, Roberts Rules of Order Newly Revised apply to all meetings and actions taken by the council.

(e) The council's first meeting must be held within 30 days after all primary members are appointed, and the council must conduct a minimum of 10 public meetings. The location of the council's public meetings must be geographically distributed throughout the state with the final meeting held in Tallahassee during a regularly scheduled legislative committee week before January 1, 2016.

(f) The council shall submit a written report, including its recommendations and findings, which must be approved by an affirmative vote of at least eight voting members of the council, to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Commissioner of Agriculture, and the Secretary of Environmental Protection on or before January 15, 2016.

(5) The council is dissolved January 15, 2016, or upon submission of the report pursuant to paragraph (4)(f), whichever occurs first.

Section 29. (1) Between July 1, 2013, and June 30, 2016, local governments may not adopt new ordinances to regulate nonagricultural fertilizer or its use. However, a local government may adopt by ordinance the Department of Environmental Protection's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes 2010.

(2) An ordinance adopted after March 4, 2013, and before July 1, 2013, to regulate nonagricultural fertilizer or its use shall not be enforced before July 1, 2016, unless it is the Department of Environmental Protection's Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes 2010.

TITLE AMENDMENT

Between lines 99 and 100, insert:

creating the Florida Fertilizer Regulatory Review Council; providing legislative findings; providing for the council's purpose, membership, and duties; providing for the council to be staffed and funded jointly by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; requiring the council to submit a report to the Governor, Legislature, and specified officials; providing for dissolution of the council; prohibiting local governments from adopting or enforcing certain ordinances; providing an exception;

Rep. Raburn moved the adoption of the amendment.

Representative Gaetz offered the following:

(Amendment Bar Code: 987963)

Amendment 1 to Amendment 2 (with title amendment)—Between lines 158 and 159 of the amendment, insert:

Section 30. Rule 62-531.340(1)(d), Florida Administrative Code, relating to water well contractor fees, is repealed and a water well contractor licensee

or applicant may not be required to pay a fee to an entity awarded a contract to implement a program of approved coursework for water well contractor licensure and license renewal.

TITLE AMENDMENT

Remove line 173 of the amendment and insert:
ordinances; providing an exception; repealing a specified rule; exempting water well contractor licensees and applicants from certain fees;

Rep. Gaetz moved the adoption of the amendment to the amendment. Subsequently, **Amendment 1 to Amendment 2** was withdrawn.

The question recurred on the adoption of **Amendment 2**, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HM 1087 was taken up. On motion by Rep. Santiago, the House agreed to substitute SM 1266 for HM 1087 and read SM 1266 the second time by title. Under Rule 5.13, the House memorial was laid on the table.

SM 1266—A memorial to the President and the Congress of the United States, urging them to award the Congressional Gold Medal to the United States 65th Infantry Regiment, the Borinqueneers.

WHEREAS, the Borinqueneers trace their lineage to the "Puerto Rico Regiment of Volunteer Infantry," authorized by Congress on March 2, 1899, as the first body of native troops in Puerto Rico, the only Hispanic-segregated unit in the United States Armed Forces that played a prominent role in American military history, and

WHEREAS, during World War I, the Borinqueneers rallied a force of over 1,500 to defend the Panama Canal, and upon their return to Puerto Rico were renamed "The 65th Infantry Regiment," and

WHEREAS, during World War II, the Borinqueneers served in North Africa and Europe, winning Naples-Foggia, Rome-Arno, Central Europe, and Rhineland battle campaign awards; and were assigned security, anti-sabotage, and other occupation missions around Kaiserslautern and Mannheim, Germany after the war, and

WHEREAS, during the Korean War, the Borinqueneers were the only all-Hispanic unit; joined the United States 3rd Infantry Division to be among the first infantry to engage in battle with North Korean troops; served with distinction to earn 4 Distinguished Service Crosses, 124 Silver Stars, 9 Korean battle campaign awards, the Presidential and Meritorious Unit Commendations, 2 Korean Presidential Unit Citations, and the Greek Gold Medal for Bravery; and are credited with launching the last recorded battalion-sized bayonet assault in United States Army history, and

WHEREAS, legendary United States Army General Douglas MacArthur lauded the Borinqueneers, crediting them with a resolute will to victory and loyalty to the United States, saying, "They are writing a brilliant record of heroism in battle and I am indeed proud to have them under my command. I wish that we could count on many more like them," and

WHEREAS, in 1959, the Borinqueneers passed their colors to the National Guard of the United States Territory of Puerto Rico, withdrawing from the Regular Army, the only time in United States Army history that active unit colors were not retired, but, instead, turned over to a National Guard unit, and

WHEREAS, today, the legacy of the Borinqueneers lives on in the National Guard in Puerto Rico, which continues to defend the United States in the ongoing War on Terrorism, and

WHEREAS, the Borinqueneers served and sacrificed, shedding blood for our democracy and helping to ensure our prosperity as they faced segregation and discrimination, protecting our nation and fighting for the good of all, and

WHEREAS, these warriors, the Borinqueneers, deserve a place with all American heroes, and should be honored, commended, and never forgotten for their feats, and

WHEREAS, the Congressional Gold Medal is the highest civilian award given by the United States Congress, awarded as an expression of public

gratitude on behalf of the nation for distinguished contributions, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That, in recognition of the bravery and sacrifice of the United States 65th Infantry Regiment, the Borinqueneers, the President and the Congress of the United States are urged to award the Congressional Gold Medal to these true heroes and defenders of our great nation.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, to the Puerto Rico Resident Commissioner, to the President of the United States 65th Infantry Regiment Association, the chairman of the Hispanic Achievers Grant Council, the chairman of the Borinqueneers Congressional Gold Medal Alliance, and the National Association for Uniformed Services.

—was read the second time by title. On motion by Rep. Santiago, the memorial was adopted and, under Rule 11.7(i), immediately certified to the Senate.

HM 1253—A memorial to the Congress of the United States, urging Congress to direct the National Marine Fisheries Service to withdraw its consideration of listing the queen conch as a threatened or endangered species.

WHEREAS, the importation, distribution, and sale of queen conch accounts for a significant percentage of the commerce and tourism industry in the southern region of Florida, and

WHEREAS, queen conch is a popular local delicacy that attracts millions of tourists to local restaurants, and

WHEREAS, Florida currently has long-term conservation measures to sustainably manage queen conch populations, and

WHEREAS, the harvesting of the queen conch in state waters and adjacent federal waters is prohibited, and

WHEREAS, the importation of queen conch from countries that do not have similar long-term conservation measures is prohibited, and

WHEREAS, those fisheries from which queen conch is currently imported are located in limited areas of federal and United States territorial waters and operate under strict regulations, and

WHEREAS, listing the queen conch as a threatened or endangered species would ban the legal importation of queen conch and have a detrimental impact on commerce and tourism in the southern region of Florida, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That Congress is urged to direct the National Marine Fisheries Service to withdraw its consideration of listing the queen conch as a threatened or endangered species.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time by title. On motion by Rep. J. Diaz, the memorial was adopted and, under Rule 11.7(i), immediately certified to the Senate.

CS/HB 7025—A bill to be entitled An act relating to timeshares; amending s. 718.112, F.S.; specifying that certain provisions relating to condominium board elections do not apply to timeshare condominiums; amending s. 721.05, F.S.; revising and providing definitions related to the Florida Vacation Plan and Timesharing Act; amending s. 721.07, F.S.; revising formula requirements for calculating reserves for accommodations and facilities of real property timeshare plans; amending s. 721.15, F.S.; requiring

an estoppel letter in certain timeshare resale transfer transactions; amending s. 721.17, F.S.; prohibiting certain activities related to offering timeshare interest transfer services; requiring resale transfer agreements to contain specified information; requiring the establishment of an escrow account for certain purposes; providing requirements and duties of the escrow agent; providing penalties; providing for applicability; amending s. 721.82, F.S.; revising definitions applicable to the Timeshare Lien Foreclosure Act; amending s. 721.84, F.S.; making an editorial change; amending s. 721.855, F.S.; revising procedure for the trustee foreclosure of assessment liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; amending s. 721.856, F.S.; revising procedure for the trustee foreclosure of mortgage liens; revising conditions under which a trustee may sell a foreclosed encumbered timeshare interest; revising and providing notice requirements; providing for perfection of notice; providing requirements for a notice of lis pendens; providing sale requirements; providing exceptions for actions for failure to follow the trustee foreclosure procedure; providing an effective date.

—was read the second time by title.

Representative Eagle offered the following:

(Amendment Bar Code: 566523)

Amendment 1—Remove line 298 and insert:
described in s. 721.17(3). The term does not include resale advertising services as provided in this chapter.

Rep. Eagle moved the adoption of the amendment, which was adopted.

Representative Eagle and Mayfield offered the following:

(Amendment Bar Code: 232465)

Amendment 2 (with title amendment)—Remove lines 451-707 and insert:

successor. The predecessor in interest or his or her agent, or a person providing resale transfer services for the predecessor in interest pursuant to s. 721.17(3) or his or her agent, shall deliver to provide the managing entity with a copy of the recorded deed of conveyance if the interest is a timeshare estate or a copy of the instrument of transfer if the interest is a timeshare license, with containing the name and mailing address of the successor in interest within 15 days after the date of transfer, and after such delivery the successor in interest shall be listed by the managing entity as the owner of the timeshare interest on the books and records of the timeshare plan. The managing entity shall not be liable to any person for any inaccuracy in the books and records of the timeshare plan arising from the failure of the predecessor in interest to timely and correctly notify the managing entity of the name and mailing address of the successor in interest.

(b) Within 30 days after receiving a written request from a timeshare interest owner, an agent designated in writing by the timeshare interest owner, or a person providing resale transfer services for a consumer timeshare reseller pursuant to s. 721.17(3), a managing entity must provide a certificate, signed by an officer or agent of the managing entity, to the person requesting the certificate, that states the amount of any assessment, transfer fee, or other moneys currently owed to the managing entity, and of any assessment, transfer fee, or other moneys approved by the managing entity that will be due within the next 90 days, with respect to the designated consumer resale timeshare interest, as well as any information contained in the books and records of the timeshare plan regarding the legal description and use plan related to the designated consumer resale timeshare interest.

1. A person who relies upon such certificate shall be protected thereby.

2. A summary proceeding pursuant to s. 51.011 may be brought to compel compliance with this paragraph, and in such an action the prevailing party may recover reasonable attorney fees and court costs.

3. The managing entity may charge a fee not to exceed \$150 for the preparation and delivery of the certificate. The amount of the fee must be included on the certificate.

Section 5. Section 721.17, Florida Statutes, is amended to read:

721.17 Transfer of interest; resale transfer agreements.—

(1) Except in the case of a timeshare plan subject to the provisions of chapter 718 or chapter 719, no developer, owner of the underlying fee, or owner of the underlying personal property shall sell, lease, assign, mortgage, or otherwise transfer his or her interest in the accommodations and facilities of the timeshare plan except by an instrument evidencing the transfer recorded in the public records of the county in which such accommodations and facilities are located or, with respect to personal property timeshare plans, in full compliance with s. 721.08. The instrument shall be executed by both the transferor and transferee and shall state:

(a)(1) That its provisions are intended to protect the rights of all purchasers of the plan.

(b)(2) That its terms may be enforced by any prior or subsequent timeshare purchaser so long as that purchaser is not in default of his or her obligations.

(c)(3) That so long as a purchaser remains in good standing with respect to her or his obligations under the timeshare instrument, including making all payments to the managing entity required by the timeshare instrument with respect to the annual common expenses of the timeshare plan, the transferee shall honor all rights of such purchaser relating to the subject accommodation or facility as reflected in the timeshare instrument.

(d)(4) That the transferee will fully honor all rights of timeshare purchasers to cancel their contracts and receive appropriate refunds.

(e)(5) That the obligations of the transferee under such instrument will continue to exist despite any cancellation or rejection of the contracts between the developer and purchaser arising out of bankruptcy proceedings.

(2) Should any transfer of the interest of the developer, the owner of the underlying fee, or the owner of the underlying property occur in a manner which is not in compliance with subsection (1) this section, the terms set forth in subsection (1) this section shall be presumed to be a part of the transfer and shall be deemed to be included in the instrument of transfer. Notice shall be mailed to each purchaser of record within 30 days after the transfer unless such transfer does not affect the purchaser's rights in or use of the timeshare plan. Persons who hold mortgages or liens on the property constituting a timeshare plan before the filed public offering statement of such plan is approved by the division shall not be considered transferees for the purposes of subsection (1) this section.

(3)(a) In the course of offering timeshare interest transfer services, no person shall:

1. Engage in any timeshare interest transfer services for consideration, or the expectation of receiving consideration, without first obtaining a written resale transfer agreement signed by the consumer timeshare reseller that complies with this subsection.

2. Fail to provide both the consumer timeshare reseller and the escrow agent required by paragraph (c) with an executed copy of the resale transfer agreement.

3. Fail to comply with the requirements of paragraphs (b) and (c).

(b) Each resale transfer agreement shall contain:

1. A statement that no fee, cost, or other compensation may be paid to the person providing the timeshare resale transfer services before the delivery to the consumer timeshare reseller of written evidence that all promised timeshare interest transfer services have been performed, including, but not limited to, delivery to both the consumer timeshare reseller and the timeshare plan managing entity of a copy of the recorded instrument or other legal document evidencing the transfer of ownership of or legal title to the consumer resale timeshare interest to the transferee, accompanied by the full name, address, and other known contact information for the transferee.

2. The name, address, current phone number, and current e-mail address of the escrow agent required by paragraph (c).

3. A statement that the person providing the timeshare resale transfer services will provide the consumer timeshare reseller with written notice of the full performance of the timeshare resale transfer services, together with a copy of the recorded instrument or other legal document evidencing the

transfer of ownership of or legal title to the consumer resale timeshare interest from the consumer timeshare reseller to a transferee.

4. A statement in substantially the following form in conspicuous type immediately preceding the space in the resale transfer agreement provided for the consumer timeshare reseller's signature:

...(Name)... has agreed to provide you with timeshare resale transfer services pursuant to this resale transfer agreement. After those services have been fully performed, ...(Name)... is obligated to provide you with written notice of such full performance and a copy of the recorded instrument or other legal document evidencing the transfer of ownership of or legal title to the consumer resale timeshare interest to the transferee. Any fee or other compensation paid by you under this agreement before such full performance by ...(Name)... must be held in escrow by the escrow agent specified in this agreement, and ...(Name)... is prohibited from receiving any such fee or other compensation until all promised timeshare interest transfer services have been performed.

(c)1. Before entering into any resale transfer agreement, a person providing timeshare resale transfer services shall establish an escrow account with an escrow agent for the purpose of protecting the funds or other property of consumer timeshare resellers required to be escrowed by this subsection. An attorney who is a member in good standing of The Florida Bar, a licensed Florida real estate broker in good standing, or a licensed Florida title insurer or agent in good standing, any of whom also provides timeshare interest transfer services as described in this subsection, may serve as escrow agent under this subsection. The escrow agent shall maintain the escrow account only in such a manner as to be under the direct supervision and control of the escrow agent. The escrow agent shall have a fiduciary duty to each consumer timeshare reseller to maintain the escrow account in accordance with good accounting practices and to release the consumer timeshare reseller's funds or other property from escrow only in accordance with this subsection.

2. All funds or other property that are received from or on behalf of a consumer timeshare reseller pursuant to a resale transfer agreement shall be deposited into an escrow account pursuant to this paragraph. A fee, cost, or other compensation that is due or that will be paid to the person providing the timeshare resale transfer services must be held in such escrow account until the person providing the timeshare resale transfer services has fully complied with all of his or her obligations under the resale transfer agreement and under this subsection.

3. The funds or other property required to be escrowed pursuant to this paragraph may only be released from escrow as follows:

a. On the order of the person providing the timeshare resale transfer services upon presentation of an affidavit by the person that all promised timeshare interest transfer services have been performed, including delivery to both the consumer timeshare reseller and the timeshare plan managing entity of a copy of the recorded instrument or other legal document evidencing the transfer of ownership of or legal title to the consumer resale timeshare interest to the transferee.

b. To a managing entity to pay any assessments, transfer fees, or other moneys owed with respect to the consumer resale timeshare interest as set forth in the certificate provided for in s. 721.15(7)(b) or to pay a governmental agency for the purpose of completing and perfecting the transfer. A managing entity shall accept any funds remitted to it by an escrow agent pursuant to this sub-subparagraph.

4. The escrow agent shall retain all resale transfer agreements, escrow account records, and affidavits received pursuant to this subsection for a period of 5 years.

(d) A person providing timeshare resale transfer services, an agent or third party service provider for the timeshare resale transfer services provider, or an escrow agent who intentionally fails to comply with the provisions of this subsection concerning the establishment of an escrow account, deposits of funds into escrow, withdrawal therefrom, and maintenance of records is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) No person shall participate, for consideration or with the expectation of consideration, in a plan or scheme, a purpose of which is to transfer a

consumer resale timeshare interest to a transferee that the person knows does not have the ability, means, or intent to pay all assessments and taxes associated with the consumer resale timeshare interest.

(f) Providing timeshare interest transfer services with respect to a consumer resale timeshare interest in a timeshare property located or offered within this state, or in a multisite timeshare plan registered or required to be registered to be offered in this state, including acting as an agent or third-party service provider for a resale service provider, constitutes operating, conducting, engaging in, or carrying on a business or business venture in this state for the purposes of s. 48.193(1).

(g) A managing entity may bring an action to enforce the provisions of paragraph (e). In any such action, the managing entity may recover its actual damages, and the prevailing party may recover its reasonable attorney fees and court costs.

(h) Paragraphs (a)—(d) do not apply to:

1. A resale broker who offers timeshare interest transfer services to a consumer timeshare reseller, so long as the resale broker complies in all respects with chapter 475 and with s. 721.20; or

2. An attorney who is a member in good standing of The Florida Bar or a licensed Florida title insurer or agent in good standing who offers timeshare interest transfer services to a consumer timeshare reseller, if the total consideration paid by the consumer timeshare reseller to such person does not exceed \$600, exclusive of any assessments, transfer fees, or moneys owed with respect to the consumer resale timeshare interest as set forth in the certificate provided for in s.721.15(7)(b), and exclusive of any fees owed to a governmental agency for the purpose of completing and perfecting the transfer.

(i) This subsection does not

TITLE AMENDMENT

Remove line 10 and insert:

timeshare plans; amending s. 721.15, F.S.; requiring the successor in interest to be listed as the owner of the timeshare interest under certain conditions; requiring

Rep. Eagle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

HB 7103—A bill to be entitled An act relating to cross-over youth; creating a pilot project to serve youth in common to the Department of Children and Families and the Department of Juvenile Justice; providing for selection of a county for the project; requiring proposals from interested providers; specifying elements to be included in the project; requiring reports to the Governor and Legislature; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7119—A bill to be entitled An act relating to homeowners' associations; amending s. 34.01, F.S.; conforming a cross-reference; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring a homeowners' association to maintain an internal dispute resolution procedure in the association's official records; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to permit members to take photographs of such records using portable devices at no charge; revising provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing for expiration of reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they

have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification or certificate is valid while the director is on the board; providing penalties for failure to file such certification or certificate; requiring the association to retain such certification or certificate for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association; providing for removal from office for violations; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.311, F.S.; requiring associations to adopt internal dispute resolution procedures; providing minimum requirements for such procedures; providing for an internal dispute resolution in the absence of a procedure adopted by the association; providing that certain resolutions and agreements are binding and judicially enforceable; amending s. 720.315, F.S.; prohibiting increases in assessments levied pursuant to the annual budget under certain circumstances; providing a definition; providing an effective date.

—was read the second time by title.

Representative La Rosa offered the following:

(Amendment Bar Code: 930633)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (2) of section 468.436, Florida Statutes, is amended to read:

468.436 Disciplinary proceedings.—

(2) The following acts constitute grounds for which the disciplinary actions in subsection (4) may be taken:

(b)1. Violation of any provision of this part.

2. Violation of any lawful order or rule rendered or adopted by the department or the council.

3. Being convicted of or pleading nolo contendere to a felony in any court in the United States.

4. Obtaining a license or certification or any other order, ruling, or authorization by means of fraud, misrepresentation, or concealment of material facts.

5. Committing acts of gross misconduct or gross negligence in connection with the profession.

6. Contracting, on behalf of an association, with any entity in which the licensee has a financial interest that is not disclosed.

7. Violating any provision of chapter 718, chapter 719, or chapter 720 during the course of performing community association management services pursuant to a contract with a community association as defined in s. 468.431(1).

Section 2. Subsection (5) and paragraph (d) of subsection (6) of section 720.303, Florida Statutes, are amended, and subsection (13) is added to that section, to read:

720.303 Association powers and duties; meetings of board; official records; budgets; financial reporting; association funds; recalls.—

(5) INSPECTION AND COPYING OF RECORDS.—The official records shall be maintained within the state for at least 7 years and shall be made available to a parcel owner for inspection or photocopying within 45 miles of the community or within the county in which the association is located within 10 business days after receipt by the board or its designee of a written request must be open to inspection and available for photocopying by members or their authorized agents at reasonable times and places within 10 business days after receipt of a written request for access. This subsection may be complied with by having a copy of the official records available for inspection or copying in the community or, at the option of the association, by making the records available to a parcel owner electronically via the Internet or by allowing the records to be viewed in electronic format on a computer screen and printed upon request. If the association has a photocopy machine available where the records are maintained, it must provide parcel owners with copies on request during the inspection if the entire request is limited to no more than 25 pages. The association shall allow a member or his or her authorized representative to use a portable device, including a smartphone, tablet, portable scanner, or any other technology capable of scanning or taking photographs, to make an electronic copy of the official records in lieu of providing the member or his or her authorized representative with a copy of such records. The association may not charge a fee to a member or his or her authorized representative for such use of a portable device.

(a) The failure of an association to provide access to the records within 10 business days after receipt of a written request submitted by certified mail, return receipt requested, creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(b) A member who is denied access to official records is entitled to the actual damages or minimum damages for the association's willful failure to comply with this subsection. The minimum damages are to be \$50 per calendar day up to 10 days, the calculation to begin on the 11th business day after receipt of the written request.

(c) The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not require a parcel owner to demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month. The association may impose fees to cover the costs of providing copies of the official records, including, ~~without limitation,~~ the costs of copying and the costs required for personnel to retrieve and copy the records if the time spent retrieving and copying the records exceeds one-half hour and if the personnel costs do not exceed \$20 per hour. Personnel costs may not be charged for records requests that result in the copying of 25 or fewer pages. The association may charge up to 25 ~~50~~ cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside ~~duplicating service vendor or association management company personnel~~ and may charge the actual cost of copying, as supported by the vendor invoice including any reasonable costs involving personnel fees and charges at an hourly rate for vendor or employee time to cover administrative costs to the vendor or association. The association shall maintain an adequate number of copies of the recorded governing documents, to ensure their availability to members and prospective members. Notwithstanding this paragraph, the following records are not accessible to members or parcel owners:

1. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including, but not limited to, a record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.

2. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.

3. Personnel records of the association's employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an association employee or budgetary or financial records that indicate the compensation paid to an association employee.

4. Medical records of parcel owners or community residents.

5. Social security numbers, driver's license numbers, credit card numbers, electronic mailing addresses, telephone numbers, facsimile numbers, emergency contact information, any addresses for a parcel owner other than as provided for association notice requirements, and other personal identifying information of any person, excluding the person's name, parcel designation, mailing address, and property address. However, an owner may consent in writing to the disclosure of protected information described in this subparagraph. The association is not liable for the disclosure of information that is protected under this subparagraph if the information is included in an official record of the association and is voluntarily provided by an owner and not requested by the association.

6. Any electronic security measure that is used by the association to safeguard data, including passwords.

7. The software and operating system used by the association which allows the manipulation of data, even if the owner owns a copy of the same software used by the association. The data is part of the official records of the association.

(d) The association or its authorized agent is not required to provide a prospective purchaser or lienholder with information about the residential subdivision or the association other than information or documents required by this chapter to be made available or disclosed. The association or its authorized agent may charge a reasonable fee to the prospective purchaser or lienholder or the current parcel owner or member for providing good faith responses to requests for information by or on behalf of a prospective purchaser or lienholder, other than that required by law, if the fee does not exceed \$150 plus the reasonable cost of photocopying and any attorney's fees incurred by the association in connection with the response.

(6) BUDGETS.—

(d) An association is deemed to have provided for reserve accounts if reserve accounts have been initially established by the developer or if the membership of the association affirmatively elects to provide for reserves. If reserve accounts are established by the developer, the budget must designate the components for which the reserve accounts may be used. If reserve accounts are not initially provided by the developer, the membership of the association may elect to do so upon the affirmative approval of a majority of the total voting interests of the association. Such approval may be obtained by vote of the members at a duly called meeting of the membership or by the written consent of a majority of the total voting interests of the association. The approval action of the membership must state that reserve accounts shall be provided for in the budget and must designate the components for which the reserve accounts are to be established. Upon approval by the membership, the board of directors shall include the required reserve accounts in the budget in the next fiscal year following the approval and each year thereafter. Once established as provided in this subsection, the reserve accounts must be funded or maintained or have their funding waived in the manner provided in paragraph (f).

(13) REPORTING REQUIREMENT.—The community association manager or management firm, or the association when there is no community association manager or management firm, shall report to the division by November 22, 2013, in a manner and form prescribed by the division.

(a) The report shall include the association's:

1. Legal name.
2. Federal employer identification number.
3. Mailing and physical addresses.
4. Total number of parcels.

5. Total amount of revenues and expenses from the association's annual budget.

(b) For associations in which control of the association has not been transitioned to nondeveloper members, as set forth in s. 720.307, the report shall also include the developer's:

1. Legal name.

2. Mailing address.

3. Total number of parcels owned on the date of reporting.

(c) The reporting requirement provided in this subsection shall be a continuing obligation on each association until the required information is reported to the division.

(d) By October 1, 2013, the department shall establish and implement a registration system through an Internet website that provides for the reporting requirements of paragraphs (a) and (b).

(e) The department shall prepare an annual report of the data reported pursuant to this subsection and present it to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2013, and each year thereafter.

(f) The division shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this subsection.

(g) This subsection shall expire on July 1, 2016, unless reenacted by the Legislature.

Section 3. Section 720.3033, Florida Statutes, is created to read:

720.3033 Officers and directors.—

(1)(a) Within 90 days after being elected or appointed to the board, each director shall certify in writing to the secretary of the association that he or she has read the association's declaration of covenants, articles of incorporation, bylaws, and current written rules and policies; that he or she will work to uphold such documents and policies to the best of his or her ability; and that he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Within 90 days after being elected or appointed to the board, in lieu of such written certification, the newly elected or appointed director may submit a certificate of having satisfactorily completed the educational curriculum administered by a division-approved education provider within 1 year before or 90 days after the date of election or appointment.

(b) The written certification or educational certificate is valid for the uninterrupted tenure of the director on the board. A director who does not timely file the written certification or educational certificate shall be suspended from the board until he or she complies with the requirement. The board may temporarily fill the vacancy during the period of suspension.

(c) The association shall retain each director's written certification or educational certificate for inspection by the members for 5 years after the director's election. However, the failure to have the written certification or educational certificate on file does not affect the validity of any board action.

(2) If the association enters into a contract or other transaction with any of its directors or a corporation, firm, association that is not an affiliated homeowners' association, or other entity in which an association director is also a director or officer or is financially interested, the board must:

(a) Comply with the requirements of s. 617.0832.

(b) Enter the disclosures required by s. 617.0832 into the written minutes of the meeting.

(c) Approve the contract or other transaction by an affirmative vote of two-thirds of the directors present.

(d) At the next regular or special meeting of the members, disclose the existence of the contract or other transaction to the members. Upon motion of any member, the contract or transaction shall be brought up for a vote and may be canceled by a majority vote of the members present. If the members cancel the contract, the association is only liable for the reasonable value of goods and services provided up to the time of cancellation and is not liable for any termination fee, liquidated damages, or other penalty for such cancellation.

(3) An officer, director, or manager may not solicit, offer to accept, or accept any good or service of value for which consideration has not been provided for his or her benefit or for the benefit of a member of his or her immediate family from any person providing or proposing to provide goods or services to the association. If the board finds that an officer or director has violated this subsection, the board shall immediately remove the officer or director from office. The vacancy shall be filled according to law until the end of the director's term of office. However, an officer, director, or manager may accept food to be consumed at a business meeting with a value of less than \$25 per individual or a service or good received in connection with trade fairs or education programs.

(4) A director or officer charged by information or indictment with a felony theft or embezzlement offense involving the association's funds or property is removed from office. The board shall fill the vacancy according to general law until the end of the period of the suspension or the end of the director's term of office, whichever occurs first. However, if the charges are resolved without a finding of guilt or without acceptance of a plea of guilty or nolo contendere, the director or officer shall be reinstated for any remainder of his or her term of office. A member who has such criminal charges pending may not be appointed or elected to a position as a director or officer.

(5) The association shall maintain insurance or a fidelity bond for all persons who control or disburse funds of the association. The insurance policy or fidelity bond must cover the maximum funds that will be in the custody of the association or its management agent at any one time. As used in this subsection, the term "persons who control or disburse funds of the association" includes, but is not limited to, persons authorized to sign checks on behalf of the association, and the president, secretary, and treasurer of the association. The association shall bear the cost of any insurance or bond.

Section 4. Paragraph (a) of subsection (9) of section 720.306, Florida Statutes, is amended to read:

720.306 Meetings of members; voting and election procedures; amendments.—

(9)(a) ELECTIONS AND BOARD VACANCIES.—Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association. All members of the association are eligible to serve on the board of directors, and a member may nominate himself or herself as a candidate for the board at a meeting where the election is to be held; provided, however, that ~~or~~ if the election process allows candidates to be nominated ~~voting by absentee ballot~~, in advance of the meeting, the association is not required to allow nominations at the meeting. An election is not required unless more candidates are nominated than vacancies exist ~~balloting~~. Except as otherwise provided in the governing documents, boards of directors must be elected by a plurality of the votes cast by eligible voters.

Section 5. Subsection (1) of section 720.307, Florida Statutes, is amended, present subsections (2) through (4) are renumbered as subsections (3) through (5), respectively, and a new subsection (2) is added to that section, to read:

720.307 Transition of association control in a community.—With respect to homeowners' associations:

(1) Members other than the developer are entitled to elect at least a majority of the members of the board of directors of the homeowners' association when the earlier of the following events occurs:

(a) Three months after 90 percent of the parcels in all phases of the community that will ultimately be operated by the homeowners' association have been conveyed to members; ~~or~~

(b) Such other percentage of the parcels has been conveyed to members, or such other date or event has occurred, as is set forth in the governing documents in order to comply with the requirements of any governmentally chartered entity with regard to the mortgage financing of parcels;

(c) Upon the developer abandoning or deserting its responsibility to maintain and complete the amenities or infrastructure as disclosed in the governing documents. There is a rebuttable presumption that the developer has abandoned and deserted the property if the developer has unpaid assessments or guaranteed amounts under s. 720.308 for a period of more than 2 years;

(d) Upon the developer filing a petition seeking protection under chapter 7 of the federal Bankruptcy Code;

(e) Upon the developer losing title to the property through a foreclosure action or the transfer of a deed in lieu of foreclosure, unless the successor owner has accepted an assignment of developer rights and responsibilities first arising after the date of such assignment; or

(f) Upon a receiver for the developer being appointed by a circuit court and not being discharged within 30 days after such appointment, unless the court determines within 30 days after such appointment that transfer of control would be detrimental to the association or its members.

For purposes of this section, the term "members other than the developer" shall not include builders, contractors, or others who purchase a parcel for the purpose of constructing improvements thereon for resale.

(2) Members other than the developer are entitled to elect at least one member of the board of directors of the homeowners' association if 25 percent of the parcels in all phases of the community which will ultimately be operated by the association have been conveyed to members.

Section 6. Subsection (5) is added to section 720.3075, Florida Statutes, to read:

720.3075 Prohibited clauses in association documents.—

(5) It is declared the public policy of this state that prior to transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, a developer is prohibited from unilaterally making amendments to the governing documents that are arbitrary, capricious or in bad faith, unreasonably modify the original plan of development, prejudice the rights of the existing nondeveloper members to use and enjoy the benefits of the common property, or materially shift economic burdens from the developer to the existing nondeveloper members.

Section 7. Paragraph (b) of subsection (2) of section 720.3085, Florida Statutes, is amended to read:

720.3085 Payment for assessments; lien claims.—

(2)

(b) A parcel owner is jointly and severally liable with the previous parcel owner for all unpaid assessments that came due up to the time of transfer of title. This liability is without prejudice to any right the present parcel owner may have to recover any amounts paid by the present owner from the previous owner. For the purposes of this paragraph, the term "previous owner" shall not include an association that acquires title to a delinquent property through foreclosure or by deed in lieu of foreclosure. The present parcel owner's liability for unpaid assessments is limited to any unpaid assessments that accrued before the association acquired title to the delinquent property through foreclosure or by deed in lieu of foreclosure.

Section 8. This act shall take effect July 1, 2013.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to homeowners' associations; amending s. 468.436, F.S.; providing grounds for disciplinary actions against community association managers; amending s. 720.303, F.S.; requiring official records to be maintained within a specified distance of the association for a specified time; authorizing associations to maintain such records online; requiring associations to allow a member to use a portable device to make an electronic copy of the official records and prohibiting associations from charging a fee for such an electronic copy; removing provisions allowing the association to charge fees for personnel costs related to records access; requiring budgets to designate permissible uses of reserve accounts; requiring a community association manager, or the association in the absence of a community association manager, to report certain information to the Division of Florida Condominiums, Timeshares, and Mobile Homes; providing an expiration date for the reporting requirements; creating s. 720.3033, F.S.; requiring association directors to file with the association secretary written certification that they have read certain association documents, will uphold the documents, and will uphold their fiduciary responsibility to the members; providing for an educational certificate in lieu of written certification; providing that such certification is valid while the director is on the board; providing penalties for failure to file such certification; requiring the association to retain such certification for 5 years; requiring the board to follow specified procedures relating to contracts or transactions between the association and certain entities; providing for disclosure of the contract or transaction to members; providing for the cancellation of such contract or transaction under certain circumstances; prohibiting any association officer, director, or manager from soliciting or receiving certain personal benefits from any person providing or offering to provide goods or services to the association; providing for removal from office for violations; providing an exception; providing for the removal of any director or officer charged with a felony theft or embezzlement offense

involving association funds or property; providing for the reinstatement of such person under certain circumstances; prohibiting a member with pending criminal charges from certain positions; requiring the association to maintain insurance or a bond to cover funds that will be in the custody of the association or its management agent; providing a definition; amending s. 720.306, F.S.; revising procedures for the election of directors; amending s. 720.307, F.S.; providing additional circumstances for authorizing members to elect a majority of association board members; providing circumstances under which members other than the developer are authorized to elect a specified number of members to the board of directors; amending s. 720.3075, F.S.; providing public policy regarding amendments to governing documents in associations under developer control; amending s. 720.3085, F.S.; defining the term "previous owner" to exclude certain associations from provisions relating to the liability of previous owners of parcels for unpaid assessments; limiting a present owner's liability for certain assessments; providing an effective date.

Rep. La Rosa moved the adoption of the amendment.

Representative Caldwell offered the following:

(Amendment Bar Code: 133297)

Amendment 1 to Amendment 1 (with title amendment)—Remove line 297 of the amendment and insert:
association shall bear the cost of any insurance or bond. If annually approved by a majority of the voting interests present at a properly called meeting of the association, an association may waive the requirement of obtaining an insurance policy or fidelity bond for all persons who control or disburse funds of the association.

TITLE AMENDMENT

Between lines 448 and 449 of the amendment, insert:
 authorizing an association to waive the requirement of obtaining an insurance policy or fidelity bond under certain conditions;

Rep. Caldwell moved the adoption of the amendment to the amendment, which was adopted.

Representative La Rosa offered the following:

(Amendment Bar Code: 488487)

Amendment 2 to Amendment 1 (with directory and title amendments)—Between lines 301 and 302 of the amendment, insert:

(1) QUORUM; AMENDMENTS.—

(b) Unless otherwise provided in the governing documents or required by law, and other than those matters set forth in paragraph (c), any governing document of an association may be amended by the affirmative vote of two-thirds of the voting interests of the association. Within 30 days after recording an amendment to the governing documents, the association shall provide copies of the amendment to the members.

DIRECTORY AMENDMENT

Remove lines 298-299 of the amendment and insert:

Section 4. Paragraph (b) of subsection (1) and paragraph (a) of subsection (9) of section 720.306, Florida Statutes, are amended to read:

TITLE AMENDMENT

Remove line 449 of the amendment and insert:
 amending s. 720.306, F.S.; requiring the association to provide copies of amendments to the governing documents to members under certain conditions; revising procedures for the

Rep. La Rosa moved the adoption of the amendment to the amendment, which was adopted.

Representative Caldwell offered the following:

(Amendment Bar Code: 594825)

Amendment 3 to Amendment 1—Remove line 360 of the amendment and insert:
association if 50 percent of the parcels in all phases of the

Rep. Caldwell moved the adoption of the amendment to the amendment, which was adopted.

Representative La Rosa offered the following:

(Amendment Bar Code: 549617)

Amendment 4 to Amendment 1—Remove lines 366-375 of the amendment and insert:

(5) It is declared the public policy of this state that the right of developers to amend governing documents is limited by a test of reasonableness. Prior to transition of homeowners' association control in a community from the developer to the nondeveloper members, as set forth in s. 720.307, a developer is prohibited from unilaterally making amendments to the governing documents that are arbitrary, capricious or in bad faith, destroy the general plan of development, prejudice the rights of the existing nondeveloper members to use and enjoy the benefits of the common property, or materially shift economic burdens from the developer to the existing nondeveloper members.

Rep. La Rosa moved the adoption of the amendment to the amendment, which was adopted.

The question recurred on the adoption of **Amendment 1**, as amended, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 7121—A bill to be entitled An act relating to inmate reentry; amending s. 322.051, F.S.; waiving the fee for identification cards issued to certain inmates; amending s. 382.0255, F.S.; requiring a waiver of fees for certain inmates receiving a copy of a birth certificate; amending s. 944.605, F.S.; requiring the Department of Corrections to work with other agencies in acquiring necessary documents for certain inmates to acquire an identification card before release; providing exceptions; requiring the department to provide specified assistance to inmates born outside this state; requiring a report; amending s. 944.803, F.S.; authorizing the department to operate male and female faith- and character-based institutions; creating s. 948.0125, F.S.; directing the department to establish a reentry program for nonviolent offenders; providing eligibility and participation requirements; providing guidelines where the department shall terminate inmate's participation in program; providing for inmate to participate in drug offender probation upon completion of in-prison reentry program; authorizing use of postadjudicatory drug court for program participant; authorizing the department to contract for services; providing that no rights are conferred upon inmates to participate in reentry program; providing for reports and rulemaking authority; providing an effective date.

—was read the second time by title.

Representative Baxley offered the following:

(Amendment Bar Code: 774059)

Amendment 1 (with title amendment)—Remove lines 125-288

TITLE AMENDMENT

Remove lines 15-27 and insert:

faith- and character-based institutions;

Rep. Baxley moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 7125—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 110.205, F.S.; providing that certain positions in the department are exempt from career service; amending s. 207.002, F.S., relating to the Florida Diesel Fuel and Motor Fuel Use Tax Act of 1981; deleting definitions of the terms "apportioned motor vehicle" and "apportionable vehicle"; amending s. 316.0083, F.S.; revising provisions for enforcement of specified provisions using a traffic infraction detector; prohibiting a notice of violation or a traffic citation for a right on red violation under specified provisions; amending s. 316.066, F.S.; authorizing the Department of Transportation to immediately receive a crash report; amending s. 316.0776, F.S.; removing a requirement that the department, a county, or a municipality notify the public of enforcement of violations concerning right turns via a traffic infraction detector; amending s. 316.081, F.S.; prohibiting a driver from driving at less than the posted speed in the furthestmost left-hand lane of a road, street, or highway having two or more lanes if being overtaken by a motor vehicle; providing exceptions; providing penalties; amending s. 316.1937, F.S.; revising operational specifications for ignition interlock devices; amending s. 316.2397, F.S.; exempting specified municipal officials from a prohibition against showing or displaying blue lights on a motor vehicle under certain conditions; amending s. 316.302, F.S.; revising provisions for certain commercial motor vehicles and transporters and shippers of hazardous materials; providing for application of specified federal regulations; removing a provision for application of specified provisions and federal regulations to transporting liquefied petroleum gas; amending s. 316.3025, F.S.; providing penalties for violation of specified federal regulations relating to medical and physical requirements for commercial drivers while driving a commercial motor vehicle; revising provisions for seizure of motor vehicle for refusal to pay penalty; providing penalties for violation of specified federal regulations relating to commercial drivers and the use of mobile telephones and texting while driving a commercial motor vehicle; amending s. 316.515, F.S.; revising provisions for exceptions to width and height limitations; amending s. 316.545, F.S.; revising language relating to certain commercial motor vehicles not properly licensed and registered; amending s. 316.646, F.S., relating to proof of property damage liability security and display thereof; providing for proof of insurance in an electronic format and on an electronic device; providing conditions relating to the use of such electronic device; requiring the department to adopt rules; amending s. 317.0016, F.S., relating to expedited services; removing a requirement that the department provide such service for certain certificates; amending s. 318.14, F.S., relating to disposition of traffic citations; providing that certain alternative procedures for certain traffic offenses are not available to a person who holds a commercial learner's permit; amending s. 318.1451, F.S.; revising provisions relating to driver improvement schools; removing a provision for a chief judge to establish requirements for the location of schools within a judicial circuit; removing a provision that authorizes a person to operate a driver improvement school; revising provisions for persons taking unapproved course; providing criteria for initial approval of courses; revising requirements for courses, course certificates, and course providers; directing the department to adopt rules; creating s. 319.141, F.S.; directing the department to conduct a pilot program to evaluate rebuilt vehicle inspection services performed by the private sector; providing definitions; providing for the department to enter into a memorandum of understanding with the private provider; providing minimum criteria and certain requirements; requiring the department to provide a report to the Legislature; providing for future expiration; amending s. 319.225, F.S.; revising provisions for certificates of title, reassignment of title, and forms; revising procedures for transfer of title; amending s. 319.23, F.S.; revising requirements for content of certificates of title and applications for title; amending s. 319.28, F.S.; revising provisions for transfer of ownership by operation of law when a motor vehicle or mobile home is repossessed; removing provisions for a certificate of repossession;

amending s. 319.30, F.S., relating to disposition of derelict motor vehicles; defining the term "National Motor Vehicle Title Information System"; requiring salvage motor vehicle dealers, insurance companies, and other persons to notify the system when receiving or disposing of such a vehicle; requiring proof of such notification when applying for a certificate of destruction or salvage certificate of title; providing penalties; amending s. 319.323, F.S., relating to expedited services of the department; removing certificates of repossession; amending s. 320.01, F.S.; removing the definition of the term "apportioned motor vehicle"; revising the definition of the term "apportionable vehicle"; amending s. 320.02, F.S.; revising requirements for application for motor vehicle registration; providing for insurers to furnish proof-of-purchase cards in a paper or an electronic format; requiring the application form for motor vehicle registration and renewal of registration to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 320.03, F.S.; revising a provision for registration under the International Registration Plan; amending s. 320.071, F.S.; revising a provision for advance renewal of registration under the International Registration Plan; amending s. 320.0715, F.S.; revising provisions for vehicles required to be registered under the International Registration Plan; amending s. 320.089, F.S.; creating a special use license plate for current or former members of the United States Armed Forces who participated in Operation Desert Storm or Operation Desert Shield; amending s. 320.18, F.S.; providing for withholding of motor vehicle or mobile home registration when a coowner has failed to register the motor vehicle or mobile home during a previous period when such registration was required; providing for cancelling a vehicle or vessel registration, driver license, identification card, or fuel-use tax decal if the coowner pays certain fees and other liabilities with a dishonored check; amending s. 320.27, F.S., relating to motor vehicle dealers; providing for extended periods for dealer licenses and supplemental licenses; providing fees; amending s. 320.62, F.S., relating to manufacturers, distributors, and importers of motor vehicles; providing for extended licensure periods; providing fees; amending s. 320.77, F.S., relating to mobile home dealers; providing for extended licensure periods; providing fees; amending s. 320.771, F.S., relating to recreational vehicle dealers; providing for extended licensure periods; providing fees; amending s. 320.8225, F.S., relating to mobile home and recreational vehicle manufacturers, distributors, and importers; providing for extended licensure periods; providing fees; amending s. 322.08, F.S.; requiring the application form for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to the Auto Club Group Traffic Safety Foundation, Inc.; amending s. 322.095, F.S.; requiring an applicant for a driver license to complete a traffic law and substance abuse education course; providing exceptions; revising procedures for evaluation and approval of such courses; revising criteria for such courses and the schools conducting the courses; providing for collection and disposition of certain fees; requiring providers to maintain records; directing the department to conduct effectiveness studies; requiring a provider to cease offering a course that fails the study; requiring courses to be updated at the request of the department; requiring providers to disclose certain information; requiring providers to submit course completion information to the department within a certain time period; prohibiting certain acts; providing that the department shall not accept certification from students; prohibiting a person convicted of certain crimes from conducting courses; directing the department to suspend course approval for certain purposes; providing for the department to deny, suspend, or revoke course approval for certain acts; providing for administrative hearing before final action denying, suspending, or revoking course approval; providing penalties for violations; amending s. 322.125, F.S.; revising criteria for members of the Medical Advisory Board; amending s. 322.135, F.S.; removing a provision that authorizes a tax collector to direct certain licensees to the department for examination or reexamination; creating s. 322.143, F.S.; defining terms; prohibiting a private entity from swiping an individual's driver license or identification card except for certain specified purposes; providing that a private entity that swipes an individual's driver license or identification card may not store, sell, or share personal information collected from swiping the driver license or identification card; providing exceptions; providing that the private entity may manually collect personal information; prohibiting a

private entity from withholding the provision of goods or services solely as a result of the individual requesting the collection of the data through manual means; providing remedies; amending s. 322.212, F.S.; providing penalties for certain violations involving application and testing for a commercial driver license or a commercial learner's permit; amending s. 322.22, F.S.; authorizing the department to withhold issuance or renewal of a driver license, identification card, vehicle or vessel registration, or fuel-use decal under certain circumstances; amending s. 322.245, F.S.; requiring a depository or clerk of court to electronically notify the department of a person's failure to pay support or comply with directives of the court; amending s. 322.25, F.S.; removing a provision for a court order to reinstate a person's driving privilege on a temporary basis when the person's license and driving privilege have been revoked under certain circumstances; amending ss. 322.2615 and 322.2616, F.S., relating to review of a license suspension when the driver had blood or breath alcohol at a certain level or the driver refused a test of his or her blood or breath to determine the alcohol level; authorizing the driver to request a review of eligibility for a restricted driving privilege; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 322.271, F.S.; providing conditions under which a person whose driver license is suspended for a DUI-related offense may be eligible to receive a restricted driving privilege; amending s. 322.2715, F.S.; providing requirements for issuance of a restricted driver license for a person convicted of a DUI offense if a medical waiver of placement of an ignition interlock device was given to such person; amending s. 322.28, F.S., relating to revocation of driver license for convictions of DUI offenses; providing that convictions occurring on the same date for offenses occurring on separate dates are considered separate convictions; removing a provision relating to a court order for reinstatement of a revoked driver license; repealing s. 322.331, F.S., relating to habitual traffic offenders; amending s. 322.61, F.S.; revising provisions for disqualification from operating a commercial motor vehicle; providing for application of such provisions to persons holding a commercial learner's permit; revising the offenses for which certain disqualifications apply; amending s. 322.64, F.S., relating to driving with unlawful blood-alcohol level or refusal to submit to breath, urine, or blood test by a commercial driver license holder or person driving a commercial motor vehicle; providing that a disqualification from driving a commercial motor vehicle is considered a conviction for certain purposes; revising the time period a person is disqualified from driving for alcohol-related violations; revising requirements for notice of the disqualification; providing that under the review of a disqualification the hearing officer shall consider the crash report; revising provisions for informal and formal reviews; providing for the hearing officer to be designated by the department; authorizing the hearing officer to conduct hearings using telecommunications technology; revising procedures for enforcement of subpoenas; directing the department to issue a temporary driving permit or invalidate the suspension under certain circumstances; providing for construction of specified provisions; amending s. 323.002, F.S.; providing that an unauthorized wrecker operator's wrecker, tow truck, or other motor vehicle used during certain offenses may be removed and impounded; requiring an unauthorized wrecker operator to disclose certain information in writing to the owner or operator of a motor vehicle and provide a copy of the disclosure to the owner or operator in the presence of a law enforcement officer if an officer is present; authorizing state and local government law enforcement officers to cause to be removed and impounded any wrecker, tow truck, or other motor vehicle used in violation of specified provisions; authorizing the authority that caused the removal and impoundment to assess a cost recovery fine; providing procedures and requirements for release of the vehicle; providing penalties; requiring that the unauthorized wrecker operator pay the fees associated with the removal and storage of the vehicle; amending s. 324.0221, F.S.; revising the actions which must be reported to the department by an insurer that has issued a policy providing personal injury protection coverage or property damage liability coverage; revising time allowed for submitting the report; amending s.

324.031, F.S.; revising the methods a vehicle owner or operator may use to prove financial responsibility; removing a provision for posting a bond with the department; amending s. 324.091, F.S.; revising provisions requiring motor vehicle owners and operators to provide evidence to the department of liability insurance coverage under certain circumstances; revising provisions for verification by insurers of such evidence; amending s. 324.161, F.S.; providing requirements for issuance of a certificate of insurance; requiring proof of a certificate of deposit of a certain amount of money in a financial institution; providing for power of attorney to be issued to the department for execution under certain circumstances; amending s. 328.01, F.S., relating to vessel titles; revising identification requirements for applications for a certificate of title; amending s. 328.48, F.S., relating to vessel registration; revising identification requirements for applications for vessel registration; amending s. 328.76, F.S., relating to vessel registration funds; revising provisions for funds to be deposited into the Highway Safety Operating Trust Fund; amending s. 713.585, F.S.; revising procedures and requirements for enforcement of lien by sale of motor vehicle when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring the lienholder to make certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising requirements for notification to the local law enforcement agency; revising requirements for notification of the sale of the vehicle; revising documents and proofs the lienholder is required to furnish with a certificate of compliance filed with the clerk of the circuit court; requiring the lienholder to provide the department proof of checking the National Motor Vehicle Title Information System for application for transfer of title; amending s. 713.78, F.S.; revising provisions for enforcement of liens for recovering, towing, or storing a vehicle or vessel; providing a definition; providing for a lien on a vehicle or vessel when a landlord or the landlord's designee authorized removal after tenancy is terminated and specified conditions are met; revising provisions requiring notice to the owner, insurance company, and lienholders; revising procedures and requirements when ownership is not established; revising provisions for establishing a good faith effort to locate the owner or lienholder; requiring certain records checks, including records of the department and the National Motor Vehicle Title Information System and any state disclosed by the check of that system; revising provisions for notice of sale; requiring that insurance company representatives shall be allowed to inspect the vehicle or vessel; providing that when the vehicle is to be sold for purposes of being dismantled, destroyed, or changed in such manner that it is not the motor vehicle or vessel described in the certificate of title, it must be reported to the National Motor Vehicle Title Information System and application made to the department for a certificate of destruction; amending ss. 212.08, 261.03, 316.2122, 316.2124, 316.21265, 316.3026, 316.550, 317.0003, 320.08, 320.0847, 322.271, 322.282, 324.023, 324.171, 324.191, 627.733, and 627.7415, F.S.; correcting cross-references and conforming provisions to changes made by the act; providing effective dates.

—was read the second time by title.

Representative Raburn offered the following:

(Amendment Bar Code: 475415)

Amendment 1—Remove lines 488-492 and insert:
in paragraph (b) to the registered owner of the motor vehicle involved in the violation of s. 316.074(1) or s. 316.075(1)(c)1.

Rep. Raburn moved the adoption of the amendment, which was adopted.

Representative Raburn offered the following:

(Amendment Bar Code: 369763)

Amendment 2 (with title amendment)—Between lines 679 and 680, insert:

(c) The emergency exceptions provided by 49 C.F.R. s. 392.82 also apply to communications between utility drivers and utility contractor drivers during

a Level 1 activation of the State Emergency Operations Center, as provided in the Florida Comprehensive Emergency Management plan, or during a state of emergency declared by executive order or proclamation of the Governor.

TITLE AMENDMENT

Between lines 45 and 46, insert:
providing exemptions;

Rep. Raburn moved the adoption of the amendment, which was adopted.

Representative Raburn offered the following:

(Amendment Bar Code: 830997)

Amendment 3 (with title amendment)—Remove lines 680-682 and insert:

Section 11. Paragraph (a) of subsection (3) and paragraph (c) of subsection (5) of section 316.515, Florida Statutes, are amended to read:

316.515 Maximum width, height, length.—

(3) LENGTH LIMITATION.—Except as otherwise provided in this section, length limitations apply solely to a semitrailer or trailer, and not to a truck tractor or to the overall length of a combination of vehicles. No combination of commercial motor vehicles coupled together and operating on the public roads may consist of more than one truck tractor and two trailing units. Unless otherwise specifically provided for in this section, a combination of vehicles not qualifying as commercial motor vehicles may consist of no more than two units coupled together; such nonqualifying combination of vehicles may not exceed a total length of 65 feet, inclusive of the load carried thereon, but exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. Notwithstanding any other provision of this section, a truck tractor-semitrailer combination engaged in the transportation of automobiles or boats may transport motor vehicles or boats on part of the power unit; and, except as may otherwise be mandated under federal law, an automobile or boat transporter semitrailer may not exceed 50 feet in length, exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer. The 50-foot length limitation does not apply to non-stinger-steered automobile or boat transporters that are 65 feet or less in overall length, exclusive of the load carried thereon, or to stinger-steered automobile or boat transporters that are 75 feet or less in overall length, exclusive of the load carried thereon. For purposes of this subsection, a "stinger-steered automobile or boat transporter" is an automobile or boat transporter configured as a semitrailer combination wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit. Notwithstanding paragraphs (a) and (b), any straight truck or truck tractor-semitrailer combination engaged in the transportation of horticultural trees may allow the load to extend up to an additional 10 feet beyond the rear of the vehicle, provided said trees are resting against a retaining bar mounted above the truck bed so that the root balls of the trees rest on the floor and to the front of the truck bed and the tops of the trees extend up over and to the rear of the truck bed, and provided the overhanging portion of the load is covered with protective fabric.

(a) Straight trucks.—A straight truck may not exceed a length of 40 feet in extreme overall dimension, exclusive of safety and energy conservation devices approved by the department for use on vehicles using public roads. A straight truck may attach a forklift to the rear of the cargo bed, provided the overall combined length of the vehicle and the forklift does not exceed 50 feet. A straight truck may tow no more than one trailer, and the overall length of the truck-trailer combination may not exceed 68 feet, including the load thereon. Notwithstanding any other provisions of this section, a truck-trailer combination engaged in the transportation of boats, or boat trailers whose design dictates a front-to-rear stacking method may not exceed the length limitations of this paragraph exclusive of the load; however, the load may extend up to an additional 6 feet beyond the rear of the trailer.

TITLE AMENDMENT

Remove line 47 and insert:

exceptions to width, height, and length limitations; amending

Rep. Raburn moved the adoption of the amendment, which was adopted.

Representative Trujillo offered the following:

(Amendment Bar Code: 581509)

Amendment 4 (with title amendment)—Between lines 2097 and 2098, insert:

Section 28. Subsection (71) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(71) HISPANIC ACHIEVERS LICENSE PLATES.—

(a) Notwithstanding the requirements of s. 320.08053, the department shall develop a Hispanic Achievers license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Hispanic Achievers" must appear at the bottom of the plate.

(b) The proceeds from the license plate annual use fee shall be distributed to National Hispanic Corporate Achievers, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to fund grants to nonprofit organizations to operate programs and provide scholarships and for marketing the Hispanic Achievers license plate. National Hispanic Corporate Achievers, Inc., shall establish a Hispanic Achievers Grant Council that shall provide recommendations for statewide grants from available Hispanic Achievers license plate proceeds to nonprofit organizations for programs and scholarships for Hispanic and minority Floridians. National Hispanic Corporate Achievers, Inc., shall also establish a Hispanic Achievers License Plate Fund. Moneys in the fund shall be used by the grant council as provided in this paragraph. All funds received under this subsection must be used in this state.

(c) National Hispanic Corporate Achievers, Inc., may retain all proceeds from the annual use fee until documented startup costs for developing and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:

1. Up to 10 percent of the proceeds may be used for the cost of administration of the Hispanic Achievers License Plate Fund, the Hispanic Achievers Grant Council, and related matters.

2. Funds may be used as necessary for annual audit or compliance affidavit costs.

3. Up to 20 percent of the proceeds may be used to market and promote the Hispanic Achievers license plate.

~~4.3.~~ Twenty-five percent of the proceeds shall be used by the Hispanic Corporate Achievers, Inc., located in Seminole County, for grants.

~~5.4.~~ The remaining proceeds shall be available to the Hispanic Achievers Grant Council to award grants for services, programs, or scholarships for Hispanic and minority individuals and organizations throughout Florida. All grant recipients must provide to the Hispanic Achievers Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.

TITLE AMENDMENT

Remove line 119 and insert:

International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089,

Rep. Trujillo moved the adoption of the amendment.

Representative Trujillo offered the following:

(Amendment Bar Code: 756541)

Substitute Amendment 4 (with title amendment)—Between lines 2097 and 2098, insert:

Section 28. Subsection (71) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(71) HISPANIC ACHIEVERS LICENSE PLATES.—

(a) Notwithstanding the requirements of s. 320.08053, the department shall develop a Hispanic Achievers license plate as provided in this section. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Hispanic Achievers" must appear at the bottom of the plate.

(b) The proceeds from the license plate annual use fee shall be distributed to National Hispanic Corporate Achievers, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to fund grants to nonprofit organizations to operate programs and provide scholarships and for marketing the Hispanic Achievers license plate. National Hispanic Corporate Achievers, Inc., shall establish a Hispanic Achievers Grant Council that shall provide recommendations for statewide grants from available Hispanic Achievers license plate proceeds to nonprofit organizations for programs and scholarships for Hispanic and minority Floridians. National Hispanic Corporate Achievers, Inc., shall also establish a Hispanic Achievers License Plate Fund. Moneys in the fund shall be used by the grant council as provided in this paragraph. All funds received under this subsection must be used in this state.

(c) National Hispanic Corporate Achievers, Inc., may retain all proceeds from the annual use fee until documented startup costs for developing and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:

1. Up to ~~5~~ 40 percent of the proceeds may be used for the cost of administration of the Hispanic Achievers License Plate Fund, the Hispanic Achievers Grant Council, and related matters.

2. Funds may be used as necessary for annual audit or compliance affidavit costs.

3. Up to 20 percent of the proceeds may be used to market and promote the Hispanic Achievers license plate.

~~4.3-~~ Twenty-five percent of the proceeds shall be used by the Hispanic Corporate Achievers, Inc., located in Seminole County, for grants.

~~5.4-~~ The remaining proceeds shall be available to the Hispanic Achievers Grant Council to award grants for services, programs, or scholarships for Hispanic and minority individuals and organizations throughout Florida. All grant recipients must provide to the Hispanic Achievers Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.

TITLE AMENDMENT

Remove line 119 and insert:

International Registration Plan; amending s. 320.08058, F.S.; revising the prescribed use of proceeds from the sale of Hispanic Achievers license plates; amending s. 320.089,

Rep. Trujillo moved the adoption of the substitute amendment, which was adopted.

Representative Raburn offered the following:

(Amendment Bar Code: 201701)

Amendment 5 (with title amendment)—Remove line 4501 and insert: and aquaculture development ~~law enforcement~~ and quality control programs.

(e) An amount equal to \$400,000 shall be transferred from the Department of Highway Safety and Motor Vehicles to the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for activities relating to the protection, restoration and research of the natural oyster reefs and beds of the state. This paragraph expires July 1, 2017.

(f) An amount equal to or less than \$300,000 shall be used by the Fish and Wildlife Conservation Commission for boating safety education. This paragraph expires July 1, 2017.

TITLE AMENDMENT

Remove line 311 and insert:

Safety Operating Trust Fund; providing for certain funds to be used for aquaculture development; providing appropriations; amending s. 713.585,

Rep. Raburn moved the adoption of the amendment, which was adopted.

Representative Slosberg offered the following:

(Amendment Bar Code: 676009)

Amendment 6 (with title amendment)—Between lines 5143 and 5144, insert:

Section 62. Yellow dot critical motorist medical information program; yellow dot decal, folder, and information form.—

(1) The governing body of a county may create a yellow dot critical motorist medical information program to assist emergency medical responders and drivers and passengers who participate in the program by making critical medical information readily available to a responder in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle.

(2)(a) The governing body of a county may solicit sponsorships from interested business entities and not-for-profit organizations to cover costs of the program, including the cost of the yellow dot decals and folders that shall be provided free of charge to participants. Two or more counties may enter into an interlocal agreement to solicit such sponsorships.

(b) The Department of Highway Safety and Motor Vehicles or the Department of Transportation may provide education and training to encourage emergency medical responders to participate in the program and may take reasonable measures to publicize the program.

(3)(a) Any owner or lessee of a motor vehicle may participate in the program upon submission of an application and documentation, in the form and manner prescribed by the governing body of the county.

(b) The application form shall include a statement that the information submitted will be disclosed only to authorized personnel of law enforcement and public safety agencies, emergency medical services agencies, and hospitals for the purposes authorized in subsection (5).

(c) The application form shall describe the confidential nature of the medical information voluntarily provided by the participant and shall state that, by providing the medical information, the participant has authorized the use and disclosure of the medical information to authorized personnel solely for the purposes listed in subsection (5). The application form shall also require the participant's express written consent for such use and disclosure.

(d) The county may not charge any fee to participate in the yellow dot program.

(4) A participant shall receive a yellow dot decal, a yellow dot folder, and a form with the participant's information.

(a) The participant shall affix the decal onto the rear window in the left lower corner of a motor vehicle or in a clearly visible location on a motorcycle.

(b) A person who rides in a motor vehicle as a passenger may also participate in the program but may not be issued a decal if a decal is issued to the owner or lessee of the motor vehicle in which the person rides.

(c) The yellow dot folder, which shall be stored in the glove compartment of the motor vehicle or in a compartment attached to a motorcycle, shall contain a form with the following information about the participant:

1. The participant's name.

2. The participant's photograph.

3. Emergency contact information of no more than two persons for the participant.

4. The participant's medical information, including medical conditions, recent surgeries, allergies, and medications being taken.

5. The participant's hospital preference.

6. Contact information for no more than two physicians for the participant.

(5)(a) If a driver or passenger of a motor vehicle becomes involved in a motor vehicle accident or emergency situation, and a yellow dot decal is affixed to the vehicle, an emergency medical responder at the scene is authorized to search the glove compartment of the vehicle for the corresponding yellow dot folder.

(b) An emergency medical responder at the scene may use the information in the yellow dot folder for the following purposes only:

1. To positively identify the participant.

2. To ascertain whether the participant has a medical condition that might impede communications between the participant and the responder.

3. To inform the participant's emergency contacts about the location, condition, or death of the participant.

4. To learn the nature of any medical information reported by the participant on the form.

5. To ensure that the participant's current medications and preexisting medical conditions are considered when emergency medical treatment is administered for any injury to or condition of the participant.

(6) Except for wanton or willful conduct, an emergency medical responder or the employer of a responder does not incur any liability if a responder is unable to make contact, in good faith, with a participant's emergency contact person, or if a responder disseminates or fails to disseminate any information from the yellow dot folder to any other emergency medical responder, hospital, or healthcare provider who renders emergency medical treatment to the participant.

(7) The governing body of a participating county shall adopt guidelines and procedures for ensuring that any information that is confidential is not made public through the program.

(8) This section shall take effect July 1, 2014, or on the same date that legislation which exempts the information required under the yellow dot critical motorist medical information program from s. 119.071(1), Florida Statutes, and s. 24(a), Article I of the State Constitution, takes effect, whichever occurs later, if such legislation is adopted in the 2014 Regular Session of the Legislature or an extension thereof and becomes law.

TITLE AMENDMENT

Remove line 353 and insert:

of destruction; authorizing the governing body of a county to create a yellow dot critical motorist medical information program for certain purposes; authorizing a county to solicit sponsorships for the medical information program and enter into an interlocal agreement with another county to solicit such sponsorships; authorizing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to provide education and training and publicize the program; requiring the program to be free to participants; providing for applications to participate; providing for a yellow dot decal and a yellow dot folder to be issued to participants and a form containing specified information about the participant; providing procedures for use of the decal, folder, and form; providing for limited use of information on the forms by emergency medical responders; limiting liability of emergency medical responders; requiring the governing body of a participating county to adopt guidelines and procedures to ensure that confidential information is not made public; providing for contingent effect; amending ss. 212.08, 261.03, 316.2122,

Rep. Slosberg moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 7127—A bill to be entitled An act relating to the Department of Transportation; amending s. 11.45, F.S.; removing a provision for audits of certain transportation corporations by the Auditor General; amending s. 20.23, F.S.; revising provisions relating to functions of the Florida Transportation Commission to add certain monitoring of Regional Transportation Finance Authorities and the Mid-Bay Bridge Authority; removing Secretary of Transportation review of the expenses of the Florida

Statewide Passenger Rail Commission; revising the administrative support requirement for the Florida Statewide Passenger Rail Commission; designating an executive director and assistant executive director of the statewide passenger rail commission; amending s. 110.205, F.S., relating to career service exempt positions; revising the title of an existing department position; amending s. 125.35, F.S.; authorizing counties to lease real or personal property belonging to the county; amending s. 125.42, F.S.; providing that an entity granted a license to construct and maintain utility or television lines shall move or remove such lines at no cost to the county if the lines are found by the county to be unreasonably interfering with road widening, repair, or reconstruction; creating s. 316.01, F.S.; providing that a local governmental entity may not prevent vehicular ingress or egress on a transportation facility into or out of a state university facility; amending s. 316.530, F.S., relating to towing requirements; removing a provision that prohibits assessment of a penalty for the combined weights of a disabled vehicle and a wrecker or tow truck; amending s. 316.545, F.S.; revising the maximum amount the gross vehicle weight may be reduced for calculation of a penalty for excess weight when an auxiliary power unit is installed on a commercial motor vehicle; amending s. 331.360, F.S., relating to aerospace facilities; removing provisions for a spaceport master plan; directing Space Florida to develop a spaceport system plan for certain purposes; providing for content of the plan; directing Space Florida to submit the plan to metropolitan planning organizations for review of intermodal impact and to the department; authorizing the department to include relevant portions in the 5-year work program; revising responsibilities of the department relating to aerospace facilities; authorizing the department to administratively house its space transportation responsibilities within an existing division or office; authorizing the department to enter into an agreement with Space Florida for specified purposes; authorizing the department to allocate certain funds under specified conditions; requiring Space Florida to provide certain information to the department before an agreement is executed; amending s. 332.007, F.S.; authorizing the department to fund strategic airport investment projects that meet specified criteria; amending s. 334.044, F.S.; prohibiting the department from entering into any lease-purchase agreement with any expressway authority, regional transportation authority, or other entity; providing the prohibition does not invalidate existing specified lease-purchase agreements or limit the department's authority relating to certain public-private transportation facilities; providing an exception from the requirement to purchase all plant materials from Florida commercial nursery stock when prohibited by applicable federal law or regulation; amending s. 335.055, F.S.; authorizing the department to enter into contracts with community development districts to perform routine maintenance work on the State Highway System; limiting liability; amending s. 335.06, F.S.; authorizing the department to improve and maintain any road that is part of a county road system or city street system that provides access to property within the state park system; requiring the county or city to maintain such road if the department does not; amending s. 337.11, F.S.; removing the requirement that a contractor provide a notarized affidavit as proof of motor vehicle registration; amending s. 337.14, F.S.; revising requirements for a person desiring to bid for the performance of certain department construction contracts to be prequalified; amending s. 337.168, F.S., relating to confidentiality of bid information; providing that a document that reveals the identity of a person who has requested or received certain information before a certain time is a public record; amending s. 337.25, F.S.; revising provisions for disposition of property by the department; authorizing the department to contract for auction services for conveyance of property; revising requirements for an inventory of property; amending s. 337.251, F.S.; revising provisions for lease of property; requiring the department to publish a notice of receipt of a proposal for lease of particular department property and accept other proposals; revising notice procedures; requiring the department to establish by rule an application fee for lease proposals; authorizing the department to engage the services of private consultants to assist in evaluating proposals; requiring the department to make specified determinations before approving a proposed lease; amending s. 337.403, F.S., relating to interference by a utility of the use of a public road or publicly owned rail corridor; providing for an authority to bear certain costs to eliminate interference when the utility certifies that it cannot prove or

disprove it has a compensable property right where the utility is located; requiring the department to pay for utility work related to commuter rail or intercity passenger rail under certain circumstances; providing an exception; authorizing the department to pay for utility relocation in rural areas of critical economic concern under certain circumstances; requiring the Florida Transportation Commission to study the potential for state revenue from parking meters and other parking time-limit devices; authorizing to commission to retain experts; requiring the department to pay for the experts; requiring certain information from municipalities and counties; requiring certain information to be considered in the study; requiring a written report; providing for the removal of parking meters and parking time-limit devices under certain circumstance; providing for municipalities and counties to pay the cost of removal; providing for a moratorium on new parking meters of other parking time-limit devices on the state right-of-way; providing an exception; amending s. 338.161, F.S.; revising provisions for the department to enter into agreements for certain purposes with public or private transportation facility owners whose systems become interoperable with the department's systems; amending s. 338.165, F.S.; removing references to certain facilities from the list of facilities the department is authorized to request bond issuance secured by facility revenues amending s. 338.26, F.S.; revising the uses of fees generated from tolls to include the design and construction of a fire station that may be used by certain local governments in accordance with a specified memorandum; removing a provision that authorizes a district to issue bonds or notes; amending s. 339.175, F.S.; revising provisions for designation of metropolitan planning organizations and provisions for voting membership; revising the criteria that qualify a local government for participation in a metropolitan planning organization; providing that certain counties shall be designated separate metropolitan planning organizations; revising the criteria to determine voting membership of a metropolitan planning organization; providing that each metropolitan planning organization shall review its membership and reapportion it as necessary; providing criteria; removing the requirement that the Governor review and apportion the voting membership among the various governmental entities within the metropolitan planning area; amending s. 339.2821, F.S.; authorizing Enterprise Florida, Inc., to be a consultant to the department for consideration of expenditures associated with and contracts for transportation projects; revising the requirements for economic development transportation project contracts between the department and a governmental entity; repealing ss. 339.401-339.421, F.S., relating to the Florida Transportation Corporation Act, definitions, legislative findings and purpose, authorization of corporations, type and structure and income of corporation, contract between the department and the corporation, articles of incorporation, boards of directors and advisory directors, bylaws, meetings and records, amendment of articles of incorporation, powers of corporations, use of state property, exemption from taxation, authority to alter or dissolve corporation, dissolution upon completion of purposes, transfer of funds and property upon dissolution, department rules, construction of provisions, and issuance of debt; amending s. 339.55, F.S.; providing for the state-funded infrastructure bank to lend capital costs or provide credit enhancements for projects that provide intermodal connectivity with spaceports and to make emergency loans for damages to public-use spaceports; revising criteria the department may consider for evaluation of projects for assistance from the bank; amending s. 341.031, F.S.; revising the definition of the term "intercity bus service," as used in the Florida Public Transit Act; amending s. 341.052, F.S.; prohibiting an eligible public transit provider from using public transit block grant funds to pursue or promote the levying of new or additional taxes through public referenda; requiring the amount of the provider's grant to be reduced by any amount so spent; defining the term "public funds" for purposes of the prohibition; amending s. 341.053, F.S.; revising provisions for use of Intermodal Development Program funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or

existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.; removing reference to advances from the Toll Facilities Revolving Trust Fund as a source of funding for certain projects by an authority; creating ch. 345, F.S., relating to the Florida Regional Transportation Finance Authority Act; creating s. 345.0001, F.S.; providing a short title; creating s. 345.0002, F.S.; providing definitions; creating s. 345.0003, F.S.; providing for counties to form a regional transportation finance authority to construct, maintain, or operate transportation projects in a region of the state; providing for governance of an authority; providing for membership and organization of an authority; creating s. 345.0004, F.S.; providing for the powers and duties of an authority; limiting an authority's power with respect to an existing system; prohibiting an authority from pledging the credit or taxing power of the state or any political subdivision or agency of the state; requiring that an authority comply with certain reporting and documentation requirements; creating s. 345.0005, F.S.; authorizing an authority to issue bonds; providing that the issued bonds must meet certain requirements; providing that the resolution that authorizes the issuance of bonds meet certain requirements; authorizing an authority to enter into security agreements for issued bonds with a bank or trust company; providing that the issued bonds are negotiable instruments and have certain qualities; providing that a resolution authorizing the issuance of bonds and pledging of revenues of the system must meet certain requirements; prohibiting the use or pledge of state funds to pay principal or interest of an authority's bonds; creating s. 345.0006, F.S.; providing rights and remedies granted to certain bondholders; providing actions a trustee may take on behalf of the bondholders; providing for the appointment of a receiver; providing for the authority of the receiver; providing limitations to a receiver's authority; creating s. 345.0007, F.S.; providing that the Department of Transportation is the agent of each authority for specified purposes; providing for the administration and management of projects by the department; providing limits on the department as an agent; providing for the fiscal responsibilities of the authority; creating s. 345.0008, F.S.; authorizing the department to provide resources for an authority project or system if included in a specific plan and approved by the Legislature; providing for feasibility studies; requiring certain criteria to be met before department approval; providing for payment of expenses incurred by the department on behalf of an authority; requiring the department to receive a share of the revenue from the authority; providing for disbursement of revenues; creating s. 345.0009, F.S.; authorizing the authority to acquire private or public property and property rights for a project or plan; authorizing the authority to exercise the right of eminent domain; providing for the rights and liabilities and remedial actions relating to property acquired for a transportation project or corridor; creating s. 345.0010, F.S.; providing for contracts between certain entities and an authority; creating s. 345.0011, F.S.; providing that the state will not limit or alter the vested rights of a bondholder with regard to any issued bonds or rights relating to the bonds under certain conditions; creating s. 345.0012, F.S.; exempting the authority from paying certain taxes or assessments for property acquired or used for certain public purposes or for revenues received relating to the issuance of bonds; providing exceptions; creating s. 345.0013, F.S.; providing that the bonds or obligations issued are legal investments of specified entities; creating s. 345.0014, F.S.; providing applicability; amending s. 348.754, F.S.; revising the term limitation for leases that the Orlando-Orange County Expressway Authority may enter; amending s. 373.406, F.S.; exempting specified ponds, ditches, and wetlands from surface water management and storage requirements; exempting certain water control districts from certain wetlands regulation; amending s. 373.4137, F.S.; providing legislative intent that mitigation be implemented in a manner that promotes efficiency, timeliness, and cost-effectiveness in project delivery; revising the criteria of the environmental impact inventory; revising the criteria for mitigation of projected impacts identified in the environmental impact inventory; requiring the Department of Transportation to include

funding for environmental mitigation for its projects in its work program; revising the process and criteria for the payment by the department or participating transportation authorities of mitigation implemented by water management districts or the Department of Environmental Protection; revising the requirements for the payment to a water management district or the Department of Environmental Protection of the costs of mitigation planning and implementation of the mitigation required by a permit; revising the payment criteria for preparing and implementing mitigation plans adopted by water management districts for transportation impacts based on the environmental impact inventory; adding federal requirements for the development of a mitigation plan; providing for transportation projects in the environmental mitigation plan for which mitigation has not been specified; revising a water management district's responsibilities relating to a mitigation plan; creating s. 373.6053, F.S., authorizing water management districts to reassess the designation of positions for inclusion in the Senior Management Service Class; authorizing the removal of positions from the class; providing effective dates.

—was read the second time by title.

Representative Articles offered the following:

(Amendment Bar Code: 144205)

Amendment 1 (with directory and title amendments)—Between lines 663 and 664, insert:

(18) To establish and maintain bicycle and pedestrian ways. Notwithstanding s. 260.0144, the department may enter into a concession agreement with a not-for-profit entity or private sector business or entity for commercial sponsorship displays on multiuse trails and related facilities under s. 335.065 funded by the department and use any revenue received from such agreements for the maintenance of the multiuse trails and related facilities.

DIRECTORY AMENDMENT

Remove line 649 and insert:

Section 11. Subsections (16), (18), and (26) of section 334.044,

TITLE AMENDMENT

Remove line 66 and insert:

facilities; authorizing the department to enter into a concession agreement for commercial sponsorship displays on certain multiuse trails and facilities and providing for use of the revenue received; providing an exception from the

Rep. Articles moved the adoption of the amendment, which was adopted.

Representative Articles offered the following:

(Amendment Bar Code: 204109)

Amendment 2 (with title amendment)—Remove lines 1761-1938 and insert:

Section 31. Section 341.8203, Florida Statutes, is amended to read:

341.8203 Definitions.—As used in ss. 341.8201-341.842, unless the context clearly indicates otherwise, the term:

(1) "Associated development" means property, equipment, buildings, or other related facilities which are built, installed, used, or established to provide financing, funding, or revenues for the planning, building, managing, and operation of a high-speed rail system and which are associated with or part of the rail stations. The term includes air and subsurface rights, services that provide local area network devices for transmitting data over wireless networks, parking facilities, retail establishments, restaurants, hotels, offices, advertising, or other commercial, civic, residential, or support facilities.

(2) "Communication facilities" means the communication systems related to high-speed passenger rail operations, including those which are built, installed, used, or established for the planning, building, managing, and operating of a high-speed rail system. The term includes the land, structures,

improvements, rights-of-way, easements, positive train control systems, wireless communication towers and facilities that are designed to provide voice and data services for the safe and efficient operation of the high-speed rail system, voice, data, and wireless communication amenities made available to its the high-speed rail system, system and the safety, of the crew and passengers of the high-speed rail system crew and passengers as part of a high-speed rail service, and any other facilities or equipment used for operation of, or the facilitation of communications for, a high-speed rail system.

(3)(2) "Enterprise" means the Florida Rail Enterprise.

(4)(3) "High-speed rail system" means any high-speed fixed guideway system for transporting people or goods, which system is, by definition of the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

(5)(4) "Joint development" means the planning, managing, financing, or constructing of projects adjacent to, functionally related to, or otherwise related to a high-speed rail system pursuant to agreements between any person, firm, corporation, association, organization, agency, or other entity, public or private.

(6)(5) "Rail station," "station," or "high-speed rail station" means any structure or transportation facility that is part of a high-speed rail system designed to accommodate the movement of passengers from one mode of transportation to another at which passengers board or disembark from transportation conveyances and transfer from one mode of transportation to another.

(7) "Railroad company" means a person developing, or providing service on, a high speed rail system.

(8)(6) "Selected person or entity" means the person or entity to whom the enterprise awards a contract to establish a high-speed rail system pursuant to ss. 341.8201-341.842.

Section 32. Paragraph (c) is added to subsection (2) of section 341.822, Florida Statutes, to read:

341.822 Powers and duties.—

(2)

(c) The enterprise shall establish a process to issue permits to railroad companies for the construction of communication facilities within a new or existing public or private high speed rail system. The enterprise may adopt rules to administer such permits, including rules regarding the form, content, and necessary supporting documentation for permit applications, the process for submitting applications, and the application fee for a permit under s. 341.825. The enterprise shall provide a copy of a completed permit application to municipalities and counties where the high speed rail system will be located. The enterprise shall allow each such municipality and county 30 days to provide comments to the enterprise regarding the application, including any recommendations regarding conditions that may be placed on the permit.

Section 33. Section 341.825, Florida Statutes, is created to read:

341.825 Communication facilities.—

(1) LEGISLATIVE INTENT.—The Legislature intends to:

(a) Establish a streamlined process to authorize the location, construction, operation, and maintenance of communication facilities within new and existing high-speed rail systems.

(b) Expedite the expansion of the high-speed rail system's wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers as a critical communication facilities component.

(2) APPLICATION SUBMISSION.—A railroad company may submit to the enterprise an application to obtain a permit to construct communication

facilities within a new or existing high speed rail system. The application shall include an application fee that shall not exceed \$10,000, which shall be deposited into the State Transportation Trust Fund. The application shall include the following information:

- (a) The location of the proposed communication facilities.
- (b) A description of the proposed communication facilities.
- (c) Any other information reasonably required by the enterprise.

(3) APPLICATION REVIEW.—The enterprise shall review each application for completeness within 30 days after receipt of the application.

(a) If the enterprise determines that an application is not complete, the enterprise shall, within 30 days after the receipt of the initial application, notify the applicant in writing of any errors or omissions. An applicant shall have 30 days within which to correct the errors or omissions in the initial application.

(b) If the enterprise determines that an application is complete, the enterprise shall act upon the permit application within 60 days of the receipt of the completed application by approving in whole, approving with conditions as the enterprise deems appropriate, or denying the application, and stating the reason for issuance or denial. In determining whether an application should be approved, approved with modifications or conditions, or denied, the enterprise shall consider any comments or recommendations received from a municipality or county and the extent to which the proposed communication facilities:

- 1. Are located in a manner that is appropriate for the communication technology specified by the applicant.
- 2. Serve an existing or projected future need for communication facilities.
- 3. Provide sufficient wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers.

(c) The failure to adopt any recommendation or comment shall not be a basis for challenging the issuance of a permit.

(4) EFFECT OF PERMIT.—Subject to the conditions set forth therein, a permit issued by the enterprise shall constitute the sole permit of the state and any agency as to the approval of the location, construction, operation, and maintenance of the communication facilities within the new or existing high speed rail system.

(a) A permit authorizes the permittee to locate, construct, operate, and maintain the communication facilities within a new or existing high speed rail system, subject only to the conditions set forth in the permit. Such activities are not subject to local government land use or zoning regulations.

(b) A permit may include conditions that constitute variances and exemptions from rules of the enterprise or any other agency, which would otherwise be applicable to the communication facilities within the new or existing high speed rail system.

(c) Notwithstanding any other provisions of law, the permit shall be in lieu of any license, permit, certificate, or similar document required by any state, regional, or local agency.

(d) Nothing in this section is intended to impose procedures or restrictions on railroad companies that are subject to the exclusive jurisdiction of the federal Surface Transportation Board pursuant to the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. ss. 10101, et seq.

(5) MODIFICATION OF PERMIT.—A permit may be modified by the applicant after issuance upon the filing of a petition with the enterprise.

(a) A petition for modification must set forth the proposed modification and the factual reasons asserted for the modification.

(b) The enterprise shall act upon the petition within 30 days by approving or denying the application, and stating the reason for issuance or denial.

Section 34. Paragraph (b) of subsection (2) of section 341.840, is amended to read:

341.840 Tax exemption.—

(2)

(b) For the purposes of this section, any item or property that is within the definition of the term "associated development" in s. 341.8203(1) may not be considered part of the high-speed rail system as defined in s. 341.8203(4) ~~or~~ 341.8203(3).

TITLE AMENDMENT

Remove lines 197-218 and insert:

funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; providing that copies of the permit application will be sent to municipalities and counties who will have an opportunity to comment on the application; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.;

Rep. Articles moved the adoption of the amendment.

Representative Articles offered the following:

(Amendment Bar Code: 951643)

Substitute Amendment 2 (with title amendment)—Remove lines 1761-1938 and insert:

Section 31. Section 341.8203, Florida Statutes, is amended to read:

341.8203 Definitions.—As used in ss. 341.8201-341.842, unless the context clearly indicates otherwise, the term:

(1) "Associated development" means property, equipment, buildings, or other related facilities which are built, installed, used, or established to provide financing, funding, or revenues for the planning, building, managing, and operation of a high-speed rail system and which are associated with or part of the rail stations. The term includes air and subsurface rights, services that provide local area network devices for transmitting data over wireless networks, parking facilities, retail establishments, restaurants, hotels, offices, advertising, or other commercial, civic, residential, or support facilities.

(2) "Communication facilities" means the communication systems related to high-speed passenger rail operations, including those which are built, installed, used, or established for the planning, building, managing, and operating of a high-speed rail system. The term includes the land, structures, improvements, rights-of-way, easements, positive train control systems, wireless communication towers and facilities that are designed to provide voice and data services for the safe and efficient operation of the high-speed rail system, voice, data, and wireless communication amenities made available to its the high-speed rail system, system and the safety, of the crew and passengers of the high-speed rail system crew and passengers as part of a high-speed rail service, and any other facilities or equipment used for operation of, or the facilitation of communications for, a high-speed rail system. Communications facilities may not be offered to provide voice or data service to any entity other than passengers, crew or other persons involved in the operation of a high-speed rail system.

(3)(2) "Enterprise" means the Florida Rail Enterprise.

(4)(3) "High-speed rail system" means any high-speed fixed guideway system for transporting people or goods, which system is, by definition of the United States Department of Transportation, reasonably expected to reach speeds of at least 110 miles per hour, including, but not limited to, a monorail system, dual track rail system, suspended rail system, magnetic levitation system, pneumatic repulsion system, or other system approved by the enterprise. The term includes a corridor, associated intermodal connectors, and structures essential to the operation of the line, including the land, structures, improvements, rights-of-way, easements, rail lines, rail beds, guideway structures, switches, yards, parking facilities, power relays, switching houses, and rail stations and also includes facilities or equipment

used exclusively for the purposes of design, construction, operation, maintenance, or the financing of the high-speed rail system.

~~(5)(4)~~ "Joint development" means the planning, managing, financing, or constructing of projects adjacent to, functionally related to, or otherwise related to a high-speed rail system pursuant to agreements between any person, firm, corporation, association, organization, agency, or other entity, public or private.

~~(6)(5)~~ "Rail station," "station," or "high-speed rail station" means any structure or transportation facility that is part of a high-speed rail system designed to accommodate the movement of passengers from one mode of transportation to another at which passengers board or disembark from transportation conveyances and transfer from one mode of transportation to another.

(7) "Railroad company" means a person developing, or providing service on, a high speed rail system.

~~(8)(6)~~ "Selected person or entity" means the person or entity to whom the enterprise awards a contract to establish a high-speed rail system pursuant to ss. 341.8201-341.842.

Section 32. Paragraph (c) is added to subsection (2) of section 341.822, Florida Statutes, to read:

341.822 Powers and duties.—

(2)

(c) The enterprise shall establish a process to issue permits to railroad companies for the construction of communication facilities within a new or existing public or private high speed rail system. The enterprise may adopt rules to administer such permits, including rules regarding the form, content, and necessary supporting documentation for permit applications, the process for submitting applications, and the application fee for a permit under s. 341.825. The enterprise shall provide a copy of a completed permit application to municipalities and counties where the high speed rail system will be located. The enterprise shall allow each such municipality and county 30 days to provide comments to the enterprise regarding the application, including any recommendations regarding conditions that may be placed on the permit.

Section 33. Section 341.825, Florida Statutes, is created to read:

341.825 Communication facilities.—

(1) LEGISLATIVE INTENT.—The Legislature intends to:

(a) Establish a streamlined process to authorize the location, construction, operation, and maintenance of communication facilities within new and existing high-speed rail systems.

(b) Expedite the expansion of the high-speed rail system's wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers as a critical communication facilities component.

(2) APPLICATION SUBMISSION.—A railroad company may submit to the enterprise an application to obtain a permit to construct communication facilities within a new or existing high speed rail system. The application shall include an application fee limited to the amount needed to pay the anticipated cost of reviewing the application, not to exceed \$10,000, which shall be deposited into the State Transportation Trust Fund. The application shall include the following information:

(a) The location of the proposed communication facilities.

(b) A description of the proposed communication facilities.

(c) Any other information reasonably required by the enterprise.

(3) APPLICATION REVIEW.—The enterprise shall review each application for completeness within 30 days after receipt of the application.

(a) If the enterprise determines that an application is not complete, the enterprise shall, within 30 days after the receipt of the initial application, notify the applicant in writing of any errors or omissions. An applicant shall have 30 days within which to correct the errors or omissions in the initial application.

(b) If the enterprise determines that an application is complete, the enterprise shall act upon the permit application within 60 days of the receipt of the completed application by approving in whole, approving with conditions as the enterprise deems appropriate, or denying the application, and stating the reason for issuance or denial. In determining whether an application should be approved, approved with modifications or conditions,

or denied, the enterprise shall consider any comments or recommendations received from a municipality or county and the extent to which the proposed communication facilities:

1. Are located in a manner that is appropriate for the communication technology specified by the applicant.

2. Serve an existing or projected future need for communication facilities.

3. Provide sufficient wireless voice and data coverage and capacity for the safe and efficient operation of the high-speed rail system and the safety, use, and efficiency of its crew and passengers.

(c) The failure to adopt any recommendation or comment shall not be a basis for challenging the issuance of a permit.

(4) EFFECT OF PERMIT.—Subject to the conditions set forth therein, a permit issued by the enterprise shall constitute the sole permit of the state and any agency as to the approval of the location, construction, operation, and maintenance of the communication facilities within the new or existing high speed rail system.

(a) A permit authorizes the permittee to locate, construct, operate, and maintain the communication facilities within a new or existing high speed rail system, subject only to the conditions set forth in the permit. Such activities are not subject to local government land use or zoning regulations.

(b) A permit may include conditions that constitute variances and exemptions from rules of the enterprise or any other agency, which would otherwise be applicable to the communication facilities within the new or existing high speed rail system.

(c) Notwithstanding any other provisions of law, the permit shall be in lieu of any license, permit, certificate, or similar document required by any state, regional, or local agency.

(d) Nothing in this section is intended to impose procedures or restrictions on railroad companies that are subject to the exclusive jurisdiction of the federal Surface Transportation Board pursuant to the Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. ss. 10101, et seq.

(5) MODIFICATION OF PERMIT.—A permit may be modified by the applicant after issuance upon the filing of a petition with the enterprise.

(a) A petition for modification must set forth the proposed modification and the factual reasons asserted for the modification.

(b) The enterprise shall act upon the petition within 30 days by approving or denying the application, and stating the reason for issuance or denial.

Section 34. Paragraph (b) of subsection (2) of section 341.840, is amended to read:

341.840 Tax exemption.—

(2)

(b) For the purposes of this section, any item or property that is within the definition of the term "associated development" in s. 341.8203(1) may not be considered part of the high-speed rail system as defined in s. 341.8203(4) ~~or 341.8203(3)~~.

TITLE AMENDMENT

Remove lines 197-218 and insert:

funds; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; providing that copies of the permit application will be sent to municipalities and counties who will have an opportunity to comment on the application; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending ss. 343.82 and 343.922, F.S.;

Rep. Artiles moved the adoption of the substitute amendment, which was adopted.

Representative Artiles offered the following:

(Amendment Bar Code: 529493)

Amendment 3—Remove line 1973 and insert:
sections 345.0001, 345.0002, 345.0003, 345.0004, 345.0005,

Rep. Artiles moved the adoption of the amendment.

THE SPEAKER IN THE CHAIR

The question recurred on the adoption of **Amendment 3**, which was adopted.

Representative Artiles offered the following:

(Amendment Bar Code: 302427)

Amendment 4—Remove lines 2628-2657 and insert:

(13) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, applies to construction, alteration, operation, or maintenance of any wholly owned, manmade excavated farm ponds, as defined in s. 403.927, constructed entirely in uplands. Alteration or maintenance may not involve any work to connect the farm pond to, or expand the farm pond into, other wetlands or other surface waters. This exemption does not apply to any farm pond that covers an area greater than 15 acres and has an average depth greater than 15 feet, or is less than 50 feet from any wetlands.

(14) Nothing in this part, or in any rule, regulation, or order adopted pursuant to this part, may require a permit for activities affecting wetlands created solely by the unauthorized flooding or interference with the natural flow of surface water caused by an unaffiliated adjoining landowner. Requests to qualify for this exemption must be made within 7 years after the cause of such unauthorized flooding or unauthorized interference with the natural flow of surface water and must be submitted in writing to the district or department. Such activities may not begin without a written determination from the district or department confirming that the activity qualifies for the exemption. This exemption does not expand the jurisdiction of the department or the water management districts and does not apply to activities that discharge dredged or fill material into waters of the United States, including wetlands, subject to federal jurisdiction under s. 404 of the federal Clean Water Act, 33 U.S.C. s. 1344.

(15) Any independent water control district created before July 1, 2013, and operating pursuant to chapter 298 for which a valid environmental resource permit has been issued pursuant to this part or a federal wetlands permit authorized under s. 404 of the federal Clean Water Act, 33 U.S.C. s. 1344, has been issued, is exempt from further wetlands regulations imposed pursuant to chapters 125, 163, and 166.

Rep. Artiles moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Rep. Schenck moved that the House revert to the order of business of—

Messages from the Senate

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed **CS for CS for CS for HB 569**, with 1 amendment, and requests concurrence of the House.

Debbie Brown, Secretary

CS/CS/CS/HB 569—A bill to be entitled An act relating to the Florida Election Code; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections of the Department of State to provide certain notifications to committees of continuous existence; amending ss. 101.62, 102.031, and 111.075, F.S.; conforming provisions; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; revising the definition of the term "candidate" to include a candidate for a political party executive committee; deleting the definition of the term "committee of continuous existence," to conform; conforming provisions and cross-references; amending s. 106.022, F.S.; conforming a provision; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fund raiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming cross-references; amending s. 106.05, F.S.; revising the information that is required to appear on a campaign bank account for deposit of funds; amending s. 106.07, F.S.; revising reporting requirements for candidates and political committees; conforming provisions; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; amending s. 106.0705, F.S.; conforming provisions and cross-references; amending s. 106.08, F.S.; revising limitations on campaign contributions; conforming provisions and a cross-reference; amending s. 106.087, F.S.; conforming provisions; amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.12, F.S.; conforming a cross-reference; amending s. 106.141, F.S.; specifying the amount of surplus funds a candidate may give to an affiliated party committee or political party; specifying the maximum amount of funds that certain candidates may transfer from a campaign account to an office account; expanding the permissible uses of office account funds; providing for retention of surplus campaign funds by a candidate for specified purposes; providing reporting requirements for surplus campaign funds; providing for disposition of the funds; modifying requirements for disposing of or transferring surplus funds; amending ss. 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references; directing the Division of Elections to submit a proposal to the Legislature for a mandatory statewide electronic filing system; authorizing positions and providing appropriations; providing effective dates.

Senator Latvala moved the following:

(Amendment Bar Code: 481688)

Senate Amendment 1 (with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 106.04, Florida Statutes, is repealed.

Section 2. (1) Effective August 1, 2013, a committee of continuous existence may not accept a contribution as defined in s. 106.011, Florida Statutes. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the prohibition on accepting such a contribution as provided under this subsection.

(2) Effective September 30, 2013, the certification of each committee of continuous existence is revoked and all committee accounts must have a zero balance. By July 15, 2013, the Division of Elections of the Department of State shall notify each committee of continuous existence of the revocation of its certification pursuant to this subsection. Following the revocation of certification, each committee of continuous existence shall file any outstanding report as required by law.

(3)(a) A violation of this section or any other provision of chapter 106, Florida Statutes, constitutes a violation of chapter 106, Florida Statutes, regardless of whether the committee of continuous existence is legally dissolved.

(b) A political committee or electioneering communications organization that has received funds from a committee of continuous existence whose certification has been revoked and that is directly or indirectly established, maintained, or controlled by the same individual or group as the former committee of continuous existence, is responsible for any unpaid fine or penalty incurred by the former committee of continuous existence. If no such political committee or electioneering communications organization exists, the principal officers of the former committee of continuous existence shall be jointly and severally liable for any fine or penalty.

(4) Notwithstanding any other provision of law, a committee of continuous existence may make unlimited contributions to a political committee.

(5) This section shall be effective upon this act becoming a law.

Section 3. Section 106.011, Florida Statutes, is reworded and amended to read:

106.011 Definitions.—As used in this chapter, the following terms have the following meanings unless the context clearly indicates otherwise:

(16)(4)(a) "Political committee" means:

1. A combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year:

a. Accepts contributions for the purpose of making contributions to any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party;

b. Accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue;

c. Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or

d. Makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party;

2. The sponsor of a proposed constitutional amendment by initiative who intends to seek the signatures of registered electors.

(b) Notwithstanding paragraph (a), the following entities are not considered political committees for purposes of this chapter:

1. ~~Organizations which are certified by the Department of State as committees of continuous existence pursuant to s. 106.04~~, National political parties, the state and county executive committees of political parties, and affiliated party committees regulated by chapter 103.

2. Corporations regulated by chapter 607 or chapter 617 or other business entities formed for purposes other than to support or oppose issues or candidates, if their political activities are limited to contributions to candidates, political parties, affiliated party committees, or political committees or expenditures in support of or opposition to an issue from corporate or business funds and if no contributions are received by such corporations or business entities.

3. Electioneering communications organizations as defined in subsection (9) (49).

(2) "Committee of continuous existence" means any group, organization, association, or other such entity which is certified pursuant to the provisions of s. 106.04.

(5)(3) "Contribution" means:

(a) A gift, subscription, conveyance, deposit, loan, payment, or distribution of money or anything of value, including contributions in kind having an attributable monetary value in any form, made for the purpose of influencing the results of an election or making an electioneering communication.

(b) A transfer of funds between political committees, ~~between committees of continuous existence~~, between electioneering communications organizations, or between any combination of these groups.

(c) The payment, by a ~~any~~ person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to a candidate or political committee without charge to the candidate or committee for such services.

(d) The transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing

account or certificate of deposit, and the term includes ~~any~~ interest earned on such account or certificate.

Notwithstanding the foregoing meanings of "contribution," the term may not be construed to include services, including, but not limited to, legal and accounting services, provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or editorial endorsements.

(10)(4)(a) "Expenditure" means a purchase, payment, distribution, loan, advance, transfer of funds by a campaign treasurer or deputy campaign treasurer between a primary depository and a separate interest-bearing account or certificate of deposit, or gift of money or anything of value made for the purpose of influencing the results of an election or making an electioneering communication. However, "expenditure" does not include a purchase, payment, distribution, loan, advance, or gift of money or anything of value made for the purpose of influencing the results of an election when made by an organization, in existence ~~before~~ prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, for the purpose of printing or distributing such organization's newsletter, containing a statement by such organization in support of or opposition to a candidate or issue, which newsletter is distributed only to members of such organization.

(b) As used in this chapter, an "expenditure" for an electioneering communication is made when the earliest of the following occurs:

1. A person enters into a contract for applicable goods or services;

2. A person makes payment, in whole or in part, for the production or public dissemination of applicable goods or services; or

3. The electioneering communication is publicly disseminated.

(12)(5)(a) "Independent expenditure" means an expenditure by a person for the purpose of expressly advocating the election or defeat of a candidate or the approval or rejection of an issue, which expenditure is not controlled by, coordinated with, or made upon consultation with, any candidate, political committee, or agent of such candidate or committee. An expenditure for such purpose by a person having a contract with the candidate, political committee, or agent of such candidate or committee in a given election period ~~is shall~~ not be deemed an independent expenditure.

(b) An expenditure for the purpose of expressly advocating the election or defeat of a candidate which is made by the national, state, or county executive committee of a political party, including any subordinate committee of the political party, an affiliated party committee, a political committee, ~~a committee of continuous existence~~, or any other person ~~is shall~~ not be considered an independent expenditure if the committee or person:

1. Communicates with the candidate, the candidate's campaign, or an agent of the candidate acting on behalf of the candidate, including a ~~any~~ pollster, media consultant, advertising agency, vendor, advisor, or staff member, concerning the preparation of, use of, or payment for, the specific expenditure or advertising campaign at issue; ~~or~~

2. Makes a payment in cooperation, consultation, or concert with, at the request or suggestion of, or pursuant to a ~~any~~ general or particular understanding with the candidate, the candidate's campaign, a political committee supporting the candidate, or an agent of the candidate relating to the specific expenditure or advertising campaign at issue; ~~or~~

3. Makes a payment for the dissemination, distribution, or republication, in whole or in part, of a ~~any~~ broadcast or a ~~any~~ written, graphic, or other form of campaign material prepared by the candidate, the candidate's campaign, or an agent of the candidate, including a ~~any~~ pollster, media consultant, advertising agency, vendor, advisor, or staff member; ~~or~~

4. Makes a payment based on information about the candidate's plans, projects, or needs communicated to a member of the committee or person by the candidate or an agent of the candidate, provided the committee or person uses the information in any way, in whole or in part, either directly or indirectly, to design, prepare, or pay for the specific expenditure or advertising campaign at issue; ~~or~~

5. After the last day of the qualifying period prescribed for the candidate, consults about the candidate's plans, projects, or needs in connection with the candidate's pursuit of election to office and the information is used in any way to plan, create, design, or prepare an independent expenditure or advertising campaign, with:

a. ~~An~~ Any officer, director, employee, or agent of a national, state, or county executive committee of a political party or an affiliated party committee that has made or intends to make expenditures in connection with or contributions to the candidate; or

b. A ~~Any~~ person whose professional services have been retained by a national, state, or county executive committee of a political party or an affiliated party committee that has made or intends to make expenditures in connection with or contributions to the candidate; ~~or~~

6. After the last day of the qualifying period prescribed for the candidate, retains the professional services of ~~a~~ any person also providing those services to the candidate in connection with the candidate's pursuit of election to office; or

7. Arranges, coordinates, or directs the expenditure, in any way, with the candidate or an agent of the candidate.

~~(7)(6)~~ "Election" means ~~a~~ any primary election, special primary election, general election, special election, or municipal election held in this state for the purpose of nominating or electing candidates to public office, choosing delegates to the national nominating conventions of political parties, selecting a member of a political party executive committee, or submitting an issue to the electors for their approval or rejection.

~~(13)(7)~~ "Issue" means ~~a~~ any proposition ~~that which~~ is required by the State Constitution, by law or resolution of the Legislature, or by the charter, ordinance, or resolution of ~~a~~ any political subdivision of this state to be submitted to the electors for their approval or rejection at an election, or ~~a~~ any proposition for which a petition is circulated in order to have such proposition placed on the ballot at ~~an~~ any election.

~~(14)(8)~~ "Person" means an individual or a corporation, association, firm, partnership, joint venture, joint stock company, club, organization, estate, trust, business trust, syndicate, or other combination of individuals having collective capacity. The term includes a political party, affiliated party committee, or political committee, ~~or committee of continuous existence~~.

~~(2)(9)~~ "Campaign treasurer" means an individual appointed by a candidate or political committee as provided in this chapter.

~~(17)(10)~~ "Public office" means ~~a~~ any state, county, municipal, or school or other district office or position ~~that which~~ is filled by vote of the electors.

~~(1)(11)~~ "Campaign fund raiser" means ~~an~~ any affair held to raise funds to be used in a campaign for public office.

~~(6)(12)~~ "Division" means the Division of Elections of the Department of State.

~~(4)(13)~~ "Communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, printers, direct mail, advertising agencies, the Internet, and telephone companies; but with respect to telephones, an expenditure ~~is~~ shall be deemed to be an expenditure for the use of communications media only if made for the costs of telephones, paid telephonists, or automatic telephone equipment to be used by a candidate or a political committee to communicate with potential voters but excluding ~~the~~ any costs of telephones incurred by a volunteer for use of telephones by such volunteer; however, with respect to the Internet, an expenditure ~~is~~ shall be deemed an expenditure for use of communications media only if made for the cost of creating or disseminating a message on a computer information system accessible by more than one person but excluding internal communications of a campaign or of any group.

~~(11)(14)~~ "Filing officer" means the person before whom a candidate qualifies ~~or~~; the agency or officer with whom a political committee or an electioneering communications organization registers, ~~or the agency by whom a committee of continuous existence is certified~~.

~~(18)(15)~~ "Unopposed candidate" means a candidate for nomination or election to an office who, after the last day on which ~~a~~ any person, including a write-in candidate, may qualify, is without opposition in the election at which the office is to be filled or who is without such opposition after such date as a result of ~~a~~ any primary election or of withdrawal by other candidates seeking the same office. A candidate is not an unopposed candidate if there is a vacancy to be filled under s. 100.111(3), if there is a legal proceeding pending regarding the right to a ballot position for the office sought by the candidate, or if the candidate is seeking retention as a justice or judge.

~~(3)(16)~~ "Candidate" means ~~a~~ any person to whom any ~~one or more~~ of the following ~~applies~~ apply:

(a) A ~~Any~~ person who seeks to qualify for nomination or election by means of the petitioning process.

(b) A ~~Any~~ person who seeks to qualify for election as a write-in candidate.

(c) A ~~Any~~ person who receives contributions or makes expenditures, or consents for any other person to receive contributions or make expenditures, with a view to bring about his or her nomination or election to, or retention in, public office.

(d) A ~~Any~~ person who appoints a treasurer and designates a primary depository.

(e) A ~~Any~~ person who files qualification papers and subscribes to a candidate's oath as required by law.

However, this definition does not include any candidate for a political party executive committee. Expenditures related to potential candidate polls as provided in s. 106.17 are not contributions or expenditures for purposes of this subsection.

~~(15)(17)~~ "Political advertisement" means a paid expression in ~~a~~ any communications media prescribed in subsection ~~(4)~~ ~~(13)~~, whether radio, television, newspaper, magazine, periodical, campaign literature, direct mail, or display or by means other than the spoken word in direct conversation, which expressly advocates the election or defeat of a candidate or the approval or rejection of an issue. However, political advertisement does not include:

(a) A statement by an organization, in existence ~~before~~ prior to the time during which a candidate qualifies or an issue is placed on the ballot for that election, in support of or opposition to a candidate or issue, in that organization's newsletter, which newsletter is distributed only to the members of that organization.

(b) Editorial endorsements by ~~a~~ any newspaper, a radio or television station, or any other recognized news medium.

~~(8)(18)~~(a) "Electioneering communication" means ~~any~~ communication that is publicly distributed by a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, or telephone and that:

1. Refers to or depicts a clearly identified candidate for office without expressly advocating the election or defeat of a candidate but that is susceptible of no reasonable interpretation other than an appeal to vote for or against a specific candidate;

2. Is made within 30 days before a primary or special primary election or 60 days before any other election for the office sought by the candidate; and

3. Is targeted to the relevant electorate in the geographic area the candidate would represent if elected.

(b) The term "electioneering communication" does not include:

1. A communication disseminated through a means of communication other than a television station, radio station, cable television system, satellite system, newspaper, magazine, direct mail, telephone, or statement or depiction by an organization, in existence ~~before~~ prior to the time during which a candidate named or depicted qualifies for that election, made in that organization's newsletter, which newsletter is distributed only to members of that organization.

2. A communication in a news story, commentary, or editorial distributed through the facilities of ~~a~~ any radio station, television station, cable television system, or satellite system, unless the facilities are owned or controlled by ~~a~~ any political party, political committee, or candidate. A news story distributed through the facilities owned or controlled by ~~a~~ any political party, political committee, or candidate may nevertheless be exempt if it represents a bona fide news account communicated through a licensed broadcasting facility and the communication is part of a general pattern of campaign-related news accounts that give reasonably equal coverage to all opposing candidates in the area.

3. A communication that constitutes a public debate or forum that includes at least two opposing candidates for an office or one advocate and one opponent of an issue, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum, provided that:

a. The staging organization is either:

(I) A charitable organization that does not make other electioneering communications and does not otherwise support or oppose any political candidate or political party; or

(II) A newspaper, radio station, television station, or other recognized news medium; and

b. The staging organization does not structure the debate to promote or advance one candidate or issue position over another.

(c) For purposes of this chapter, an expenditure made for, or in furtherance of, an electioneering communication ~~is shall not be~~ considered a contribution to or on behalf of any candidate.

(d) For purposes of this chapter, an electioneering communication ~~does shall~~ not constitute an independent expenditure ~~and is not nor be~~ subject to the limitations applicable to independent expenditures.

~~(9)(19)~~ "Electioneering communications organization" means any group, other than a political party, affiliated party committee, ~~or political committee, or committee of continuous existence,~~ whose election-related activities are limited to making expenditures for electioneering communications or accepting contributions for the purpose of making electioneering communications and whose activities would not otherwise require the group to register as a political party ~~or political committee, or committee of continuous existence~~ under this chapter.

Section 4. Paragraph (a) of subsection (1) and paragraph (d) of subsection (3) of section 106.021, Florida Statutes, are amended to read:

106.021 Campaign treasurers; deputies; primary and secondary depositories.—

(1)(a) Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer. Each person who seeks to qualify for nomination or election to, or retention in, office shall appoint a campaign treasurer and designate a primary campaign depository ~~before prior to~~ qualifying for office. Any person who seeks to qualify for election or nomination to any office by means of the petitioning process shall appoint a treasurer and designate a primary depository on or before the date he or she obtains the petitions. ~~Each candidate shall~~ At the same time a candidate he or she designates a campaign depository and appoints a treasurer, the candidate shall also designate the office for which he or she is a candidate. If the candidate is running for an office that which will be grouped on the ballot with two or more similar offices to be filled at the same election, the candidate must indicate for which group or district office he or she is running. Nothing in This subsection ~~does not shall~~ prohibit a candidate, at a later date, from changing the designation of the office for which he or she is a candidate. However, if a candidate changes the designated office for which he or she is a candidate, the candidate must notify all contributors in writing of the intent to seek a different office and offer to return pro rata, upon their request, those contributions given in support of the original office sought. This notification shall be given within 15 days after the filing of the change of designation and shall include a standard form developed by the Division of Elections for requesting the return of contributions. The notice requirement ~~does shall~~ not apply to any change in a numerical designation resulting solely from redistricting. If, within 30 days after being notified by the candidate of the intent to seek a different office, the contributor notifies the candidate in writing that the contributor wishes his or her contribution to be returned, the candidate shall return the contribution, on a pro rata basis, calculated as of the date the change of designation is filed. Up to a maximum of the contribution limits specified in s. 106.08, a candidate who runs for an office other than the office originally designated may use any contribution that a donor does not request ~~Any contributions not requested to be returned within the 30-day period for the newly designated office, provided the candidate disposes of any amount exceeding the contribution limit pursuant to the options in s. 106.11(5)(b) and (c) or s. 106.141(4)(a)1., s. 106.141(4)(a)2., or s. 106.141(4)(a)4., notwithstanding, the full amount of the contribution for the original office shall count toward the contribution limits specified in s. 106.08 for the newly designated office may be used by the candidate for the newly designated office. A~~ No person ~~may not shall~~ accept any contribution or make any expenditure with a view to bringing about his or her nomination, election, or retention in public office, or authorize another to accept such contributions or make such expenditure on the person's behalf, unless such

person has appointed a campaign treasurer and designated a primary campaign depository. A candidate for an office voted upon statewide may appoint not more than 15 deputy campaign treasurers, and any other candidate or political committee may appoint not more than 3 deputy campaign treasurers. The names and addresses of the campaign treasurer and deputy campaign treasurers so appointed shall be filed with the officer before whom such candidate is required to qualify or with whom such political committee is required to register pursuant to s. 106.03.

(3) No contribution or expenditure, including contributions or expenditures of a candidate or of the candidate's family, shall be directly or indirectly made or received in furtherance of the candidacy of any person for nomination or election to political office in the state or on behalf of any political committee except through the duly appointed campaign treasurer of the candidate or political committee, subject to the following exceptions:

(d) Expenditures made directly by any ~~political committee,~~ affiliated party committee, or political party regulated by chapter 103 for obtaining time, space, or services in or by any communications medium for the purpose of jointly endorsing three or more candidates, and any such expenditure ~~may shall~~ not be considered a contribution or expenditure to or on behalf of any such candidates for the purposes of this chapter.

Section 5. Subsection (1) of section 106.022, Florida Statutes, is amended to read:

106.022 Appointment of a registered agent; duties.—

(1) Each political committee, ~~committee of continuous existence,~~ or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the filing officer a statement of appointment for the registered office and registered agent. The statement of appointment must:

(a) Provide the name of the registered agent and the street address and phone number for the registered office;

(b) Identify the entity for whom the registered agent serves;

(c) Designate the address the registered agent wishes to use to receive mail;

(d) Include the entity's undertaking to inform the filing officer of any change in such designated address;

(e) Provide for the registered agent's acceptance of the appointment, which must confirm that the registered agent is familiar with and accepts the obligations of the position as set forth in this section; and

(f) Contain the signature of the registered agent and the entity engaging the registered agent.

Section 6. Paragraph (c) of subsection (1) of section 106.025, Florida Statutes, is amended to read:

106.025 Campaign fund raisers.—

(1)

(c) Any tickets or advertising for ~~such~~ a campaign fund raiser must comply with is exempt from the requirements of s. 106.143.

Section 7. Paragraph (b) of subsection (1) and subsection (2) of section 106.03, Florida Statutes, are amended to read:

106.03 Registration of political committees and electioneering communications organizations.—

(1)

(b)1. Each group shall file a statement of organization as an electioneering communications organization within 24 hours after the date on which it makes expenditures for an electioneering communication in excess of \$5,000, if such expenditures are made within the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~ If the group makes expenditures for an electioneering communication in excess of \$5,000 before the timeframes specified in s. 106.011(8)(a)2. ~~106.011(18)(a)2.~~, it shall file the statement of organization within 24 hours after the 30th day before a primary or special primary election, or within 24 hours after the 60th day before any other election, whichever is applicable.

2.a. In a statewide, legislative, or multicounty election, an electioneering communications organization shall file a statement of organization with the Division of Elections.

b. In a countywide election or any election held on less than a countywide basis, except as described in sub-subparagraph c., an electioneering

communications organization shall file a statement of organization with the supervisor of elections of the county in which the election is being held.

c. In a municipal election, an electioneering communications organization shall file a statement of organization with the officer before whom municipal candidates qualify.

d. Any electioneering communications organization that would be required to file a statement of organization in two or more locations need only file a statement of organization with the Division of Elections.

(2) The statement of organization shall include:

(a) The name, mailing address, and street address of the committee or electioneering communications organization;

(b) The names, street addresses, and relationships of affiliated or connected organizations, including any affiliated sponsors;

(c) The area, scope, or jurisdiction of the committee or electioneering communications organization;

(d) The name, mailing address, street address, and position of the custodian of books and accounts;

(e) The name, mailing address, street address, and position of other principal officers, including the treasurer and deputy treasurer, if any;

(f) The name, address, office sought, and party affiliation of:

1. Each candidate whom the committee is supporting;

2. Any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever;

(g) Any issue or issues the committee is supporting or opposing;

(h) If the committee is supporting the entire ticket of any party, a statement to that effect and the name of the party;

(i) A statement of whether the committee is a continuing one;

(j) Plans for the disposition of residual funds which will be made in the event of dissolution;

(k) A listing of all banks, safe-deposit boxes, or other depositories used for committee or electioneering communications organization funds;

(l) A statement of the reports required to be filed by the committee or the electioneering communications organization with federal officials, if any, and the names, addresses, and positions of such officials; and

(m) A statement of whether the electioneering communications organization was formed as a newly created organization during the current calendar quarter or was formed from an organization existing prior to the current calendar quarter. For purposes of this subsection, calendar quarters end the last day of March, June, September, and December.

Section 8. Section 106.05, Florida Statutes, is amended to read:

106.05 Deposit of contributions; statement of campaign treasurer.—All funds received by the campaign treasurer of any candidate or political committee shall, prior to the end of the 5th business day following the receipt thereof, Saturdays, Sundays, and legal holidays excluded, be deposited in a campaign depository designated pursuant to s. 106.021, in an account that contains the designated ~~“(name of the candidate or committee.)”~~ Campaign Account. Except for contributions to political committees made by payroll deduction, all deposits shall be accompanied by a bank deposit slip containing the name of each contributor and the amount contributed by each. If a contribution is deposited in a secondary campaign depository, the depository shall forward the full amount of the deposit, along with a copy of the deposit slip accompanying the deposit, to the primary campaign depository prior to the end of the 1st business day following the deposit.

Section 9. Section 106.07, Florida Statutes, is reenacted and amended to read:

106.07 Reports; certification and filing.—

(1) Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.021 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee. Except as provided in paragraphs (a) and (b) for the third calendar quarter immediately preceding a general election, reports shall be filed on the 10th day following the end of each calendar ~~month~~ quarter from the time the campaign treasurer is appointed, except that, if the 10th day following the end of a calendar ~~month~~ quarter occurs on a Saturday, Sunday, or legal holiday, the report shall be filed on the next following day ~~that which is~~ not a Saturday, Sunday, or legal holiday. Monthly ~~Quarterly~~ reports shall

include all contributions received and expenditures made during the calendar ~~month~~ quarter which have not otherwise been reported pursuant to this section.

(a) A statewide candidate or a political committee required to file reports with the division must file reports:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.

2. On the 10th day immediately preceding the general election, and each day thereafter, with the last daily report being filed the 5th day immediately preceding the general election. Except as provided in paragraph (b), the reports shall also be filed on the 32nd, 18th, and 4th days immediately preceding the primary and on the 46th, 32nd, 18th, and 4th days immediately preceding the election, for a candidate who is opposed in seeking nomination or election to any office, for a political committee, or for a committee of continuous existence.

(b) Any other candidate or a political committee required to file reports with a filing officer other than the division must file reports on the 60th day immediately preceding the primary election, and biweekly on each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election. Any statewide candidate who has requested to receive contributions pursuant to the Florida Election Campaign Financing Act or any statewide candidate in a race with a candidate who has requested to receive contributions pursuant to the act shall also file reports on the 4th, 11th, 18th, 25th, and 32nd days prior to the primary election, and on the 4th, 11th, 18th, 25th, 32nd, 39th, 46th, and 53rd days prior to the general election.

(c) Following the last day of qualifying for office, any unopposed candidate need only file a report within 90 days after the date such candidate became unopposed. Such report shall contain all previously unreported contributions and expenditures as required by this section and shall reflect disposition of funds as required by s. 106.141.

(d)1. When a special election is called to fill a vacancy in office, all political committees making contributions or expenditures to influence the results of such special election or the preceding special primary election shall file campaign treasurers' reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

2. When an election is called for an issue to appear on the ballot at a time when no candidates are scheduled to appear on the ballot, all political committees making contributions or expenditures in support of or in opposition to such issue shall file reports on the 18th and 4th days before ~~prior to~~ such election.

(e) The filing officer shall provide each candidate with a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated is shall be ~~shall be~~ deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is shall be ~~shall be~~ deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, is shall be ~~shall be~~ proof of mailing in a timely manner. Reports other than daily reports must shall ~~shall~~ contain information on ~~of~~ all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must shall ~~shall~~ contain information on ~~of~~ all previously unreported contributions received and expenditures made as of the day preceding that designated due date; daily reports must contain information on ~~all previously unreported contributions received as of the preceding day.~~ All such reports are shall be ~~shall be~~ open to public inspection.

2. This subsection does not prohibit the governing body of a political subdivision, by ordinance or resolution, from imposing upon its own officers and candidates electronic filing requirements not in conflict with s. 106.0705. Expenditure of public funds for such purpose is deemed to be for a valid public purpose.

(b)1. Any report that is deemed to be incomplete by the officer with whom the candidate qualifies ~~must shall~~ be accepted on a conditional basis. The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed complete upon proof of delivery of a written notice to the mailing or street address of the campaign treasurer or registered agent of record with the filing officer.

(3) Reports required of a political committee shall be filed with the agency or officer before whom such committee registers pursuant to s. 106.03(3) and shall be subject to the same filing conditions as established for candidates' reports. Incomplete reports by political committees shall be treated in the manner provided for incomplete reports by candidates in subsection (2).

(4)(a) Except for daily reports, to which only the contributions provisions below apply, and except as provided in paragraph (b), each report required by this section must contain:

1. The full name, address, and occupation, if any of each person who has made one or more contributions to or for such committee or candidate within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which the reporting committee or the candidate received, or to which the reporting committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes to or from any person or political committee within the reporting period, together with the full names, addresses, and occupations, and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1. through 3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such committee or candidate during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the committee or candidate within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made. However, expenditures made from the petty cash fund provided by s. 106.12 need not be reported individually.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses as provided in s. 106.021(3) has been made and which is not otherwise reported, including the amount, date, and purpose of such expenditure. However, expenditures made from the petty cash fund provided for in s. 106.12 need not be reported individually. Receipts for reimbursement for authorized expenditures shall be retained by the treasurer along with the records for the campaign account.

8. The total amount withdrawn and the total amount spent for petty cash purposes pursuant to this chapter during the reporting period.

9. The total sum of expenditures made by such committee or candidate during the reporting period.

10. The amount and nature of debts and obligations owed by or to the committee or candidate, which relate to the conduct of any political campaign.

11. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the treasurer with the records for the campaign account.

12. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

13. The primary purposes of an expenditure made indirectly through a campaign treasurer pursuant to s. 106.021(3) for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) Multiple uniform contributions from the same person, aggregating no more than \$250 per calendar year, collected by an organization that is the affiliated sponsor of a political committee, may be reported by the political committee in an aggregate amount listing the number of contributors together with the amount contributed by each and the total amount contributed during the reporting period. The identity of each person making such uniform contribution must be reported to the filing officer as provided in subparagraph (a)1. by July 1 of each calendar year, or, in a general election year, no later than the 60th day immediately preceding the primary election.

~~(c)(b)~~ The filing officer shall make available to any candidate or committee a reporting form which the candidate or committee may use to indicate contributions received by the candidate or committee but returned to the contributor before deposit.

(5) The candidate and his or her campaign treasurer, in the case of a candidate, or the political committee chair and campaign treasurer of the committee, in the case of a political committee, shall certify as to the correctness of each report; and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any campaign treasurer, candidate, or political committee chair who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6) The records maintained by the campaign depository with respect to any campaign account regulated by this chapter are subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any of such records to the Division of Elections or Florida Elections Commission upon request.

(7) Notwithstanding any other provisions of this chapter, in any reporting period during which a candidate ~~or~~ political committee, ~~or committee of continuous existence~~ has not received funds, made any contributions, or expended any reportable funds, the filing of the required report for that period is waived. However, the next report filed must specify that the report covers the entire period between the last submitted report and the report being filed, and any candidate ~~or~~ political committee, ~~or committee of continuous existence~~ not reporting by virtue of this subsection on dates prescribed elsewhere in this chapter shall notify the filing officer in writing on the prescribed reporting date that no report is being filed on that date.

(8)(a) Any candidate or political committee failing to file a report on the designated due date is subject to a fine as provided in paragraph (b) for each late day, and, in the case of a candidate, such fine shall be paid only from personal funds of the candidate. The fine shall be assessed by the filing officer and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of a candidate for state office or a political committee that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of a candidate for an office of a political subdivision or a political committee that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the candidate or chair of the political committee as to the failure to file a report by the designated due date and that a fine is being

assessed for each late day. The fine ~~is shall be~~ \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each special primary election, special election, primary election, and general election, the fine ~~is shall be~~ \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For reports required under s. ~~106.141(8)~~ 106.141(7), the fine is \$50 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the candidate or chair or registered agent of the political committee. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the filing officer. In the case of a candidate, such fine ~~is shall not be~~ an allowable campaign expenditure and shall be paid only from personal funds of the candidate. An officer or member of a political committee ~~is shall not be~~ personally liable for such fine.

(c) Any candidate or chair of a political committee may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the candidate or chair of the political committee shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by a candidate or political committee, the failure of a candidate or political committee to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. 106.25(2).

(9) The Department of State may prescribe by rule the requirements for filing campaign treasurers' reports as set forth in this chapter.

Section 10. Section 106.0702, Florida Statutes, is created to read:

106.0702 Reporting; political party executive committee candidates.—

(1) An individual seeking a publicly elected position on a political party executive committee who receives a contribution or makes an expenditure shall file a report of all contributions received and all expenditures made. The report shall be filed on the 4th day immediately preceding the primary election.

(2)(a) The report shall be filed with the supervisor of elections of the appropriate county. Reports shall be filed no later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service by the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due is proof of mailing in a timely manner. The report filed must contain information of all contributions

received and expenditures made as of the day preceding the designated due date. All such reports must be open to public inspection.

(b) A reporting individual may submit the report required under this section through an electronic filing system, if used by the supervisor for other candidates, in order to satisfy the filing requirement. Such reports shall be completed and filed through the electronic filing system not later than midnight on the 4th day immediately preceding the primary election.

(3)(a) A report that is deemed to be incomplete by the supervisor shall be accepted on a conditional basis. The supervisor shall send a notice to the reporting individual by certified mail or by another method using a common carrier that provides proof of delivery as to why the report is incomplete. Within 7 days after receipt of such notice, the reporting individual must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

(b) Notice is deemed complete upon proof of delivery of a written notice to the mailing or street address that is on record with the supervisor.

(4)(a) Each report required by this section must contain:

1. The full name, address, and occupation of each person who has made one or more contributions to or for the reporting individual within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporations. However, if the contribution is \$100 or less or is from a relative, as defined in s. 112.312, provided that the relationship is reported, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which the reporting individual has received, or to which the reporting individual has made, any transfer of funds within the reporting period, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes from any person or political committee within the reporting period, together with the full name, address, and occupation, and principal place of business, if any, of the lender and endorser, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such reporting individual during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the reporting individual within the reporting period; the amount, date, and purpose of each such expenditure; and the name and address of, and office sought by, each reporting individual on whose behalf such expenditure was made.

7. The amount and nature of debts and obligations owed by or to the reporting individual which relate to the conduct of any political campaign.

8. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the reporting individual.

9. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

(b) The supervisor shall make available to any reporting individual a reporting form that the reporting individual may use to indicate contributions received by the reporting individual but returned to the contributor before deposit.

(5) The reporting individual shall certify as to the correctness of the report and shall bear the responsibility for the accuracy and veracity of each report. Any reporting individual who willfully certifies the correctness of the report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6) Notwithstanding any other provisions of this chapter, the filing of the required report is waived if the reporting individual has not received contributions or expended any reportable funds.

(7)(a) A reporting individual who fails to file a report on the designated due date is subject to a fine, and such fine shall be paid only from personal

funds of the reporting individual. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater. The fine shall be assessed by the supervisor, and the moneys collected shall be deposited into the general revenue fund of the political subdivision.

(b) The supervisor shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by the supervisor;
2. When the report is postmarked;
3. When the certificate of mailing is dated;
4. When the receipt from an established courier company is dated; or
5. When the report is completed and filed through the electronic filing system, if applicable.

Such fine shall be paid to the supervisor within 20 days after receipt of the notice of payment due unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed complete upon proof of delivery of written notice to the mailing or street address on record with the supervisor. Such fine may not be an allowable campaign expenditure and shall be paid only from personal funds of the reporting individual.

(c) A reporting individual may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and is entitled to a hearing before the Florida Elections Commission, which has the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the reporting individual must, within 20 days after receipt of the notice, notify the supervisor in writing of his or her intention to bring the matter before the commission.

(d) The appropriate supervisor shall notify the Florida Elections Commission of the late filing by a reporting individual, the failure of a reporting individual to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the supervisor and as set forth in the notification. Any other alleged violations must be separately stated and reported by the division to the commission under s. 106.25(2).

Section 11. Section 106.0703, Florida Statutes, is reenacted and amended to read:

106.0703 Electioneering communications organizations; reporting requirements; certification and filing; penalties.—

(1)(a) Each electioneering communications organization shall file regular reports of all contributions received and all expenditures made by or on behalf of the organization. Except as provided in paragraphs (b) and (c), reports must ~~shall~~ be filed on the 10th day following the end of each calendar month quarter from the time the organization is registered. However, if the 10th day following the end of a calendar month quarter occurs on a Saturday, Sunday, or legal holiday, the report must ~~shall~~ be filed on the next following day that is not a Saturday, Sunday, or legal holiday. Monthly Quarterly reports must ~~shall~~ include all contributions received and expenditures made during the calendar month quarter that have not otherwise been reported pursuant to this section.

(b) For an electioneering communications organization required to file reports with the division, reports must be filed:

1. On the 60th day immediately preceding the primary election, and each week thereafter, with the last weekly report being filed on the 4th day immediately preceding the general election.
2. On the 10th day immediately preceding the general election, and every day thereafter excluding the 4th day immediately preceding the general election, with the last daily report being filed the day before the general election. ~~Following the last day of candidates qualifying for office, the reports shall be filed on the 32nd, 18th, and 4th days immediately preceding the primary election and on the 46th, 32nd, 18th, and 4th days immediately preceding the general election.~~

(c) For an electioneering communications organization required to file reports with a filing officer other than the division, reports must be filed on the 60th day immediately preceding the primary election, and biweekly on

each Friday thereafter through and including the 4th day immediately preceding the general election, with additional reports due on the 25th and 11th days before the primary election and the general election.

(d)(~~e~~) When a special election is called to fill a vacancy in office, all electioneering communications organizations making contributions or expenditures to influence the results of the special election shall file reports with the filing officer on the dates set by the Department of State pursuant to s. 100.111.

(e)(~~d~~) In addition to the reports required by paragraph (a), an electioneering communications organization that is registered with the Department of State and that makes a contribution or expenditure to influence the results of a county or municipal election that is not being held at the same time as a state or federal election must file reports with the county or municipal filing officer on the same dates as county or municipal candidates or committees for that election. The electioneering communications organization must also include the expenditure in the next report filed with the Division of Elections pursuant to this section following the county or municipal election.

(f)(~~e~~) The filing officer shall make available to each electioneering communications organization a schedule designating the beginning and end of reporting periods as well as the corresponding designated due dates.

(2)(a) Except as provided in s. 106.0705, the reports required of an electioneering communications organization shall be filed with the filing officer not later than 5 p.m. of the day designated. However, any report postmarked by the United States Postal Service no later than midnight of the day designated is ~~shall be~~ deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service is ~~shall be~~ deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, suffices as ~~shall be~~ proof of mailing in a timely manner. Reports other than daily reports must ~~shall~~ contain information ~~on of~~ all previously unreported contributions received and expenditures made as of the preceding Friday, except that the report filed on the Friday immediately preceding the election must ~~shall~~ contain information ~~on of~~ all previously unreported contributions received and expenditures made as of the day preceding the designated due date; daily reports must contain information ~~on all previously unreported contributions received as of the preceding day.~~ All such reports ~~are shall be~~ open to public inspection.

(b)1. Any report that is deemed to be incomplete by the officer with whom the electioneering communications organization files shall be accepted on a conditional basis. The treasurer of the electioneering communications organization shall be notified, by certified mail or other common carrier that can establish proof of delivery for the notice, as to why the report is incomplete. Within 7 days after receipt of such notice, the treasurer must file an addendum to the report providing all information necessary to complete the report in compliance with this section. Failure to file a complete report after such notice constitutes a violation of this chapter.

2. Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address of the treasurer or registered agent of the electioneering communication organization on record with the filing officer.

(3)(a) Except for daily reports, to which only the contribution provisions below apply, each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such electioneering communications organization within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as practicable of the principal type of business conducted by the corporation. However, if the contribution is \$100 or less, the occupation of the contributor or the principal type of business need not be listed.

2. The name and address of each political committee from which or to which the reporting electioneering communications organization made any transfer of funds, together with the amounts and dates of all transfers.

3. Each loan for electioneering communication purposes to or from any person or political committee within the reporting period, together with the

full names, addresses, and occupations and principal places of business, if any, of the lender and endorsers, if any, and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or other receipt not otherwise listed under subparagraphs 1.-3.

5. The total sums of all loans, in-kind contributions, and other receipts by or for such electioneering communications organization during the reporting period. The reporting forms shall be designed to elicit separate totals for in-kind contributions, loans, and other receipts.

6. The full name and address of each person to whom expenditures have been made by or on behalf of the electioneering communications organization within the reporting period and the amount, date, and purpose of each expenditure.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for expenses has been made and that is not otherwise reported, including the amount, date, and purpose of the expenditure.

8. The total sum of expenditures made by the electioneering communications organization during the reporting period.

9. The amount and nature of debts and obligations owed by or to the electioneering communications organization that relate to the conduct of any electioneering communication.

10. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the electioneering communications organization.

11. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

12. The primary purposes of an expenditure made indirectly through an electioneering communications organization for goods and services, such as communications media placement or procurement services and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

(b) The filing officer shall make available to any electioneering communications organization a reporting form which the electioneering communications organization may use to indicate contributions received by the electioneering communications organization but returned to the contributor before deposit.

(4) The treasurer of the electioneering communications organization shall certify as to the correctness of each report, and each person so certifying shall bear the responsibility for the accuracy and veracity of each report. Any treasurer who willfully certifies the correctness of any report while knowing that such report is incorrect, false, or incomplete commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(5) The electioneering communications organization depository shall provide statements reflecting deposits and expenditures from the account to the treasurer, who shall retain the records pursuant to s. 106.06. The records maintained by the depository with respect to the account shall be subject to inspection by an agent of the Division of Elections or the Florida Elections Commission at any time during normal banking hours, and such depository shall furnish certified copies of any such records to the Division of Elections or the Florida Elections Commission upon request.

(6) Notwithstanding any other provisions of this chapter, in any reporting period during which an electioneering communications organization has not received funds, made any contributions, or expended any reportable funds, the treasurer shall file a written report with the filing officer by the prescribed reporting date that no reportable contributions or expenditures were made during the reporting period.

(7)(a) Any electioneering communications organization failing to file a report on the designated due date shall be subject to a fine as provided in paragraph (b) for each late day. The fine shall be assessed by the filing officer, and the moneys collected shall be deposited:

1. In the General Revenue Fund, in the case of an electioneering communications organization that registers with the Division of Elections; or

2. In the general revenue fund of the political subdivision, in the case of an electioneering communications organization that registers with an officer of a political subdivision.

No separate fine shall be assessed for failure to file a copy of any report required by this section.

(b) Upon determining that a report is late, the filing officer shall immediately notify the electioneering communications organization as to the failure to file a report by the designated due date and that a fine is being assessed for each late day. The fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25 percent of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Upon receipt of the report, the filing officer shall determine the amount of the fine which is due and shall notify the electioneering communications organization. The filing officer shall determine the amount of the fine due based upon the earliest of the following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is dated.
5. When the electronic receipt issued pursuant to s. 106.0705 or other electronic filing system authorized in this section is dated.

Such fine shall be paid to the filing officer within 20 days after receipt of the notice of payment due, unless appeal is made to the Florida Elections Commission pursuant to paragraph (c). Notice is deemed sufficient upon proof of delivery of written notice to the mailing or street address on record with the filing officer. An officer or member of an electioneering communications organization shall not be personally liable for such fine.

(c) The treasurer of an electioneering communications organization may appeal or dispute the fine, based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the Florida Elections Commission, which shall have the authority to waive the fine in whole or in part. The Florida Elections Commission must consider the mitigating and aggravating circumstances contained in s. 106.265(2) when determining the amount of a fine, if any, to be waived. Any such request shall be made within 20 days after receipt of the notice of payment due. In such case, the treasurer of the electioneering communications organization shall, within the 20-day period, notify the filing officer in writing of his or her intention to bring the matter before the commission.

(d) The appropriate filing officer shall notify the Florida Elections Commission of the repeated late filing by an electioneering communications organization, the failure of an electioneering communications organization to file a report after notice, or the failure to pay the fine imposed. The commission shall investigate only those alleged late filing violations specifically identified by the filing officer and as set forth in the notification. Any other alleged violations must be stated separately and reported by the division to the commission under s. 106.25(2).

(8) Electioneering communications organizations shall not use credit cards.

Section 12. Section 106.0705, Florida Statutes, is reenacted and amended to read:

106.0705 Electronic filing of campaign treasurer's reports.—

(1) As used in this section, "electronic filing system" means an Internet system for recording and reporting campaign finance activity by reporting period.

(2)(a) Each individual who is required to file reports with the division pursuant to s. 106.07 or s. 106.141 must file such reports by means of the division's electronic filing system.

(b) Each political committee, ~~committee of continuous existence,~~ electioneering communications organization, affiliated party committee, or state executive committee that is required to file reports with the division under ~~s. 106.04,~~ s. 106.07, s. 106.0703, or s. 106.29, as applicable, must file

such reports with the division by means of the division's electronic filing system.

(c) Each person or organization that is required to file reports with the division under s. 106.071 must file such reports by means of the division's electronic filing system.

(3) Reports filed pursuant to this section shall be completed and filed through the electronic filing system not later than midnight of the day designated. Reports not filed by midnight of the day designated are late filed and are subject to the penalties under ~~s. 106.04(9)~~, s. 106.07(8), s. 106.0703(7), or s. 106.29(3), as applicable.

(4) Each report filed pursuant to this section is considered to be under oath by the candidate and treasurer, the chair and treasurer, the treasurer under s. 106.0703, or the leader and treasurer under s. 103.092, whichever is applicable, and such persons are subject to the provisions of ~~s. 106.04(4)(d)~~, s. 106.07(5), s. 106.0703(4), or s. 106.29(2), as applicable. Persons given a secure sign-on to the electronic filing system are responsible for protecting such from disclosure and are responsible for all filings using such credentials, unless they have notified the division that their credentials have been compromised.

(5) The electronic filing system developed by the division must:

(a) Be based on access by means of the Internet.

(b) Be accessible by anyone with Internet access using standard web-browsing software.

(c) Provide for direct entry of campaign finance information as well as upload of such information from campaign finance software certified by the division.

(d) Provide a method that prevents unauthorized access to electronic filing system functions.

(6) The division shall adopt rules pursuant to ~~ss. 120.536(1) and 120.54~~ to administer this section and provide for the reports required to be filed pursuant to this section. Such rules shall, at a minimum, provide:

(a) Alternate filing procedures in case the division's electronic filing system is not operable.

(b) For the issuance of an electronic receipt to the person submitting the report indicating and verifying that the report has been filed.

Section 13. Section 106.08, Florida Statutes, is amended to read:

106.08 Contributions; limitations on.—

(1)(a) Except for political parties or affiliated party committees, no person ~~or; political committee, or committee of continuous existence~~ may, in any election, make contributions in excess of the following amounts: in excess of \$500 to any candidate for election to or retention in office or to any political committee supporting or opposing one or more candidates.

1. To a candidate for statewide office or for retention as a justice of the Supreme Court, \$3,000. Candidates for the offices of Governor and Lieutenant Governor on the same ticket are considered a single candidate for the purpose of this section.

2. To a candidate for retention as a judge of a district court of appeal; a candidate for legislative office; a candidate for multicounty office; a candidate for countywide office or in any election conducted on less than a countywide basis; or a candidate for county court judge or circuit judge, \$1,000.

~~(b)†.~~ The contribution limits provided in this subsection do not apply to contributions made by a state or county executive committee of a political party or affiliated party committee regulated by chapter 103 or to amounts contributed by a candidate to his or her own campaign.

~~2.—Notwithstanding the limits provided in this subsection, an unemancipated child under the age of 18 years of age may not make a contribution in excess of \$100 to any candidate or to any political committee supporting one or more candidates.~~

(c) The contribution limits of this subsection apply to each election. For purposes of this subsection, the primary election and general election are separate elections so long as the candidate is not an unopposed candidate as defined in s. 106.011 ~~106.011(15)~~. However, for the purpose of contribution limits with respect to candidates for retention as a justice or judge, there is only one election, which is the general election.

(2)(a) A candidate may not accept contributions from a county executive committee of a political party whose contributions in the aggregate exceed \$50,000, or from the national or; state, or county executive committees of a

political party, including any subordinate committee of such political party or affiliated party committees, whose ~~which~~ contributions in the aggregate exceed \$50,000.

(b) A candidate for statewide office may not accept contributions from national, state, or county executive committees of a political party, including any subordinate committee of the political party, or affiliated party committees, which contributions in the aggregate exceed \$250,000. Polling services, research services, costs for campaign staff, professional consulting services, and telephone calls are not contributions to be counted toward the contribution limits of paragraph (a) or this paragraph. Any item not expressly identified in this paragraph as nonallocable is a contribution in an amount equal to the fair market value of the item and must be counted as allocable toward the contribution limits of paragraph (a) or this paragraph. Nonallocable, in-kind contributions must be reported by the candidate under s. 106.07 and by the political party or affiliated party committee under s. 106.29.

(3)(a) Any contribution received by a candidate with opposition in an election or by the campaign treasurer or a deputy campaign treasurer of such a candidate on the day of that election or less than 5 days before ~~prior to~~ the day of that election must be returned by him or her to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

(b) Any contribution received by a candidate or by the campaign treasurer or a deputy campaign treasurer of a candidate after the date at which the candidate withdraws his or her candidacy, or after the date the candidate is defeated, becomes unopposed, or is elected to office must be returned to the person or committee contributing it and may not be used or expended by or on behalf of the candidate.

(4) Any contribution received by the chair, campaign treasurer, or deputy campaign treasurer of a political committee supporting or opposing a candidate with opposition in an election or supporting or opposing an issue on the ballot in an election on the day of that election or less than 5 days before ~~prior to~~ the day of that election may not be obligated or expended by the committee until after the date of the election.

(5)(a) A person may not make any contribution through or in the name of another, directly or indirectly, in any election.

(b) Candidates, political committees, affiliated party committees, and political parties may not solicit contributions from any religious, charitable, civic, or other causes or organizations established primarily for the public good.

(c) Candidates, political committees, affiliated party committees, and political parties may not make contributions, in exchange for political support, to any religious, charitable, civic, or other cause or organization established primarily for the public good. It is not a violation of this paragraph for:

1. A candidate, political committee, affiliated party committee, or political party executive committee to make gifts of money in lieu of flowers in memory of a deceased person;

2. A candidate to continue membership in, or make regular donations from personal or business funds to, religious, political party, affiliated party committee, civic, or charitable groups of which the candidate is a member or to which the candidate has been a regular donor for more than 6 months; or

3. A candidate to purchase, with campaign funds, tickets, admission to events, or advertisements from religious, civic, political party, affiliated party committee, or charitable groups.

(6)(a) A political party or affiliated party committee may not accept any contribution that has been specifically designated for the partial or exclusive use of a particular candidate. Any contribution so designated must be returned to the contributor and may not be used or expended by or on behalf of the candidate. Funds contributed to an affiliated party committee may ~~shall~~ not be ~~deemed as~~ designated for the partial or exclusive use of a leader as defined in s. 103.092.

(b)1. A political party or affiliated party committee may not accept any in-kind contribution that fails to provide a direct benefit to the political party or affiliated party committee. A "direct benefit" includes, but is not limited to, fundraising or furthering the objectives of the political party or affiliated party committee.

2.a. An in-kind contribution to a state political party may be accepted only by the chairperson of the state political party or by the chairperson's designee or designees whose names are on file with the division in a form acceptable to the division ~~before~~ ~~prior to~~ the date of the written notice required in sub-subparagraph b. An in-kind contribution to a county political party may be accepted only by the chairperson of the county political party or by the county chairperson's designee or designees whose names are on file with the supervisor of elections of the respective county ~~before~~ ~~prior to~~ the date of the written notice required in sub-subparagraph b. An in-kind contribution to an affiliated party committee may be accepted only by the leader of the affiliated party committee as defined in s. 103.092 or by the leader's designee or designees whose names are on file with the division in a form acceptable to the division ~~before~~ ~~prior to~~ the date of the written notice required in sub-subparagraph b.

b. A person making an in-kind contribution to a state or county political party or affiliated party committee must provide prior written notice of the contribution to a person described in sub-subparagraph a. The prior written notice must be signed and dated and may be provided by an electronic or facsimile message. However, prior written notice is not required for an in-kind contribution that consists of food and beverage in an aggregate amount not exceeding \$1,500 which is consumed at a single sitting or event if such in-kind contribution is accepted in advance by a person specified in sub-subparagraph a.

c. A person described in sub-subparagraph a. may accept an in-kind contribution requiring prior written notice only in a writing that is dated before the in-kind contribution is made. Failure to obtain the required written acceptance of an in-kind contribution to a state or county political party or affiliated party committee constitutes a refusal of the contribution.

d. A copy of each prior written acceptance required under sub-subparagraph c. must be filed at the time the regular reports of contributions and expenditures required under s. 106.29 are filed by the state executive committee, county executive committee, and affiliated party committee. A state executive committee and an affiliated party committee must file with the division. A county executive committee must file with the county's supervisor of elections.

e. An in-kind contribution may not be given to a state or county political party or affiliated party committee unless the in-kind contribution is made as provided in this subparagraph.

(7)(a) Any person who knowingly and willfully makes or accepts no more than one contribution in violation of subsection (1) or subsection (5), or any person who knowingly and willfully fails or refuses to return any contribution as required in subsection (3), commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. If any corporation, partnership, or other business entity or any political party, affiliated party committee, political committee, ~~committee of continuous existence~~, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$1,000 and not more than \$10,000. If it is a domestic entity, it may be ordered dissolved by a court of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political party, affiliated party committee, political committee, ~~committee of continuous existence~~, electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person who knowingly and willfully makes or accepts two or more contributions in violation of subsection (1) or subsection (5) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If any corporation, partnership, or other business entity or any political party, affiliated party committee, political committee, ~~committee of continuous existence~~, or electioneering communications organization is convicted of knowingly and willfully violating any provision punishable under this paragraph, it shall be fined not less than \$10,000 and not more than \$50,000. If it is a domestic entity, it may be ordered dissolved by a court

of competent jurisdiction; if it is a foreign or nonresident business entity, its right to do business in this state may be forfeited. Any officer, partner, agent, attorney, or other representative of a corporation, partnership, or other business entity, or of a political committee, ~~committee of continuous existence~~, political party, affiliated party committee, or electioneering communications organization, or organization exempt from taxation under s. 527 or s. 501(c)(4) of the Internal Revenue Code, who aids, abets, advises, or participates in a violation of any provision punishable under this paragraph commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) Except when otherwise provided in subsection (7), any person who knowingly and willfully violates any provision of this section shall, in addition to any other penalty prescribed by this chapter, pay to the state a sum equal to twice the amount contributed in violation of this chapter. Each campaign treasurer shall pay all amounts contributed in violation of this section to the state for deposit in the General Revenue Fund.

(9) This section does not apply to the transfer of funds between a primary campaign depository and a savings account or certificate of deposit or to any interest earned on such account or certificate.

(10) Contributions to a political committee ~~or committee of continuous existence~~ may be received by an affiliated organization and transferred to the bank account of the political committee ~~or committee of continuous existence~~ via check written from the affiliated organization if such contributions are specifically identified as intended to be contributed to the political committee ~~or committee of continuous existence~~. All contributions received in this manner shall be reported pursuant to s. 106.07 by the political committee ~~or committee of continuous existence~~ as having been made by the original contributor.

Section 14. Section 106.11, Florida Statutes, is reenacted and amended to read:

106.11 Expenses of and expenditures by candidates and political committees.—Each candidate and each political committee which designates a primary campaign depository pursuant to s. 106.021(1) shall make expenditures from funds on deposit in such primary campaign depository only in the following manner, with the exception of expenditures made from petty cash funds provided by s. 106.12:

(1)(a) The campaign treasurer or deputy campaign treasurer of a candidate or political committee shall make expenditures from funds on deposit in the primary campaign depository only by means of a bank check drawn upon the campaign account of the candidate or political committee. The campaign account shall be separate from any personal or other account and shall be used only for the purpose of depositing contributions and making expenditures for the candidate or political committee.

(b) The checks for such account shall contain, as a minimum, the following information:

1. The ~~statement "(name of the campaign account of the candidate or political committee), Campaign Account."~~
2. The account number and the name of the bank.
3. The exact amount of the expenditure.
4. The signature of the campaign treasurer or deputy treasurer.
5. The exact purpose for which the expenditure is authorized.
6. The name of the payee.

(2)(a) For purposes of this section, debit cards are considered bank checks, if:

1. Debit cards are obtained from the same bank that has been designated as the candidate's or political committee's primary campaign depository.
2. Debit cards are issued in the name of the treasurer, deputy treasurer, or authorized user and ~~contain the state "(name of the campaign account of the candidate or political committee), Campaign Account."~~
3. No more than three debit cards are requested and issued.
4. The person using the debit card does not receive cash as part of, or independent of, any transaction for goods or services.
5. All receipts for debit card transactions contain:
 - a. The last four digits of the debit card number.
 - b. The exact amount of the expenditure.
 - c. The name of the payee.

- d. The signature of the campaign treasurer, deputy treasurer, or authorized user.
- e. The exact purpose for which the expenditure is authorized.

Any information required by this subparagraph but not included on the debit card transaction receipt may be handwritten on, or attached to, the receipt by the authorized user before submission to the treasurer.

(b) Debit cards are not subject to the requirements of paragraph (1)(b).

(3) The campaign treasurer, deputy treasurer, or authorized user who signs the check shall be responsible for the completeness and accuracy of the information on such check and for insuring that such expenditure is an authorized expenditure.

(4) No candidate, campaign manager, treasurer, deputy treasurer, or political committee or any officer or agent thereof, or any person acting on behalf of any of the foregoing, shall authorize any expenses, nor shall any campaign treasurer or deputy treasurer sign a check drawn on the primary campaign account for any purpose, unless there are sufficient funds on deposit in the primary depository account of the candidate or political committee to pay the full amount of the authorized expense, to honor all other checks drawn on such account, which checks are outstanding, and to meet all expenses previously authorized but not yet paid. However, an expense may be incurred for the purchase of goods or services if there are sufficient funds on deposit in the primary depository account to pay the full amount of the incurred expense, to honor all checks drawn on such account, which checks are outstanding, and to meet all other expenses previously authorized but not yet paid, provided that payment for such goods or services is made upon final delivery and acceptance of the goods or services; and an expenditure from petty cash pursuant to the provisions of s. 106.12 may be authorized, if there is a sufficient amount of money in the petty cash fund to pay for such expenditure. Payment for credit card purchases shall be made pursuant to s. 106.125. Any expense incurred or authorized in excess of such funds on deposit shall, in addition to other penalties provided by law, constitute a violation of this chapter. As used in this subsection, the term "sufficient funds on deposit in the primary depository account of the candidate or political committee" means that the funds at issue have been delivered for deposit to the financial institution at which such account is maintained. The term shall not be construed to mean that such funds are available for withdrawal in accordance with the deposit rules or the funds availability policies of such financial institution.

(5) A candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office may expend funds from the campaign account to:

- (a) Purchase "thank you" advertising for up to 75 days after he or she withdraws, becomes unopposed, or is eliminated or elected.
- (b) Pay for items which were obligated before he or she withdrew, became unopposed, or was eliminated or elected.
- (c) Pay for expenditures necessary to close down the campaign office and to prepare final campaign reports.
- (d) Dispose of surplus funds as provided in s. 106.141.
- (6) A candidate who makes a loan to his or her campaign and reports the loan as required by s. 106.07 may be reimbursed for the loan at any time the campaign account has sufficient funds to repay the loan and satisfy its other obligations.

Section 15. Section 106.141, Florida Statutes, is amended to read:

106.141 Disposition of surplus funds by candidates.—

(1) Except as provided in subsection (6), each candidate who withdraws his or her candidacy, becomes an unopposed candidate, or is eliminated as a candidate or elected to office shall, within 90 days, dispose of the funds on deposit in his or her campaign account and file a report reflecting the disposition of all remaining funds. Such candidate may ~~shall~~ not accept any contributions, nor may ~~shall~~ any person accept contributions on behalf of such candidate, after the candidate withdraws his or her candidacy, becomes unopposed, or is eliminated or elected. However, if a candidate receives a refund check after all surplus funds have been disposed of, the check may be endorsed by the candidate and the refund disposed of under this section. An amended report must be filed showing the refund and subsequent disposition.

(2) Any candidate required to dispose of funds pursuant to this section may, before ~~prior to~~ such disposition, be reimbursed by the campaign, in full or in part, for any reported contributions by the candidate to the campaign.

(3) The campaign treasurer of a candidate who withdraws his or her candidacy, becomes unopposed, or is eliminated as a candidate or elected to office and who has funds on deposit in a separate interest-bearing account or certificate of deposit shall, within 7 days after the date of becoming unopposed or the date of such withdrawal, elimination, or election, transfer such funds and the accumulated interest earned thereon to the campaign account of the candidate for disposal under this section. However, if the funds are in an account in which penalties will apply for withdrawal within the 7-day period, the campaign treasurer shall transfer such funds and the accumulated interest earned thereon as soon as the funds can be withdrawn without penalty, or within 90 days after the candidate becomes unopposed, withdraws his or her candidacy, or is eliminated or elected, whichever comes first.

(4)(a) Except as provided in paragraph (b), any candidate required to dispose of funds pursuant to this section shall, at the option of the candidate, dispose of such funds by any of the following means, or any combination thereof:

1. Return pro rata to each contributor the funds that have not been spent or obligated.

2. Donate the funds that have not been spent or obligated to a charitable organization or organizations that meet the qualifications of s. 501(c)(3) of the Internal Revenue Code.

3. Give not more than \$25,000 of the funds that have not been spent or obligated to the affiliated party committee or political party of which such candidate is a member.

4. Give the funds that have not been spent or obligated:

a. In the case of a candidate for state office, to the state, to be deposited in either the Election Campaign Financing Trust Fund or the General Revenue Fund, as designated by the candidate; or

b. In the case of a candidate for an office of a political subdivision, to such political subdivision, to be deposited in the general fund thereof.

(b) Any candidate required to dispose of funds pursuant to this section who has received contributions pursuant to the Florida Election Campaign Financing Act shall, after all monetary commitments pursuant to s. 106.11(5)(b) and (c) have been met, return all surplus campaign funds to the General Revenue Fund.

(5) A candidate elected to office or a candidate who will be elected to office by virtue of his or her being unopposed may, in addition to the disposition methods provided in subsection (4), transfer from the campaign account to an office account any amount of the funds on deposit in such campaign account up to:

(a) Fifty ~~Twenty~~ thousand dollars, for a candidate for statewide office. The Governor and Lieutenant Governor shall be considered separate candidates for the purpose of this section.

(b) Ten ~~Five~~ thousand dollars, for a candidate for multicounty office.

(c) Ten ~~Five~~ thousand dollars multiplied by the number of years in the term of office for which elected, for a candidate for legislative office.

(d) Five thousand ~~Two thousand five hundred~~ dollars multiplied by the number of years in the term of office for which elected, for a candidate for county office or for a candidate in any election conducted on less than a countywide basis.

(e) Six thousand dollars, for a candidate for retention as a justice of the Supreme Court.

(f) Three thousand dollars, for a candidate for retention as a judge of a district court of appeal.

(g) Three thousand ~~One thousand five hundred~~ dollars, for a candidate for county court judge or circuit judge.

The office account established pursuant to this subsection shall be separate from any personal or other account. Any funds so transferred by a candidate shall be used only for legitimate expenses in connection with the candidate's public office. Such expenses may include travel expenses incurred by the officer or a staff member; personal taxes payable on office account funds by the candidate or elected public official; professional services provided by a certified public accountant or attorney for preparation of the elected public

official's financial disclosure filing pursuant to s. 112.3144 or s. 112.3145; costs to prepare, print, produce, and mail holiday cards or newsletters about the elected public official's public business to constituents if such correspondence does not constitute a political advertisement, independent expenditure, or electioneering communication as provided in s. 106.011; fees or dues to religious, civic, or charitable organizations of which the elected public official is a member; items of modest value such as flowers, greeting cards, or personal notes given as a substitute for, or in association with, an elected public official's personal attendance at a constituent's special event or family occasion, such as the birth of a child, graduation, wedding, or funeral; personal expenses incurred by the elected public official in connection with attending a constituent meeting or event where public policy is discussed, if such meetings or events are limited to no more than once a week; or expenses incurred in the operation of the elected public official's his or her office, including the employment of additional staff. The funds may be deposited in a savings account; however, all deposits, withdrawals, and interest earned thereon shall be reported at the appropriate reporting period. If a candidate is reelected to office or elected to another office and has funds remaining in his or her office account, he or she may transfer surplus campaign funds to the office account. At no time may the funds in the office account exceed the limitation imposed by this subsection. Upon leaving public office, any person who has funds in an office account pursuant to this subsection remaining on deposit shall use such funds to pay for professional services provided by a certified public accountant or attorney for preparation of the elected public official's final financial disclosure filing pursuant to s. 112.3144 or s. 112.3145, or give such funds to a charitable organization that meets or organizations which meet the requirements of s. 501(c)(3) of the Internal Revenue Code or, in the case of a state officer, to the state to be deposited in the General Revenue Fund or, in the case of an officer of a political subdivision, to the political subdivision to be deposited in the general fund thereof.

(6)(a) For purposes of this subsection, the term "same office" with respect to legislative office means an office in the same legislative body, irrespective of district number or designation or geographic boundary.

(b) A candidate elected to state office or a candidate who will be elected to state office by virtue of his or her being unopposed after candidate qualifying ends, may retain up to \$20,000 in his or her campaign account, or in an interest-bearing account or certificate of deposit, for use in his or her next campaign for the same office, in addition to the disposition methods provided in subsections (4) and (5). All requirements applicable to candidate campaign accounts under this chapter, including disclosure requirements applicable to candidate campaign accounts, limitations on expenditures, and limitations on contributions, apply to any retained funds.

(c) If a candidate who has retained funds under this subsection does not qualify as a candidate for reelection to the same office, all retained funds shall be disposed of as otherwise required by this section or s. 106.11(5) within 90 days after the last day of candidate qualifying for that office. Requirements in this section applicable to the disposal of surplus funds, including reporting requirements, are applicable to the disposal of retained funds.

(7)(6) Before Prior to disposing of funds pursuant to subsection (4), or transferring funds into an office account pursuant to subsection (5), or retaining funds for reelection pursuant to subsection (6), any candidate who filed an oath stating that he or she was unable to pay the election assessment or fee for verification of petition signatures without imposing an undue burden on his or her personal resources or on resources otherwise available to him or her, or who filed both such oaths, or who qualified by the petition process and was not required to pay an election assessment, shall reimburse the state or local governmental entity, whichever is applicable, for such waived assessment or fee or both. Such reimbursement shall be made first for the cost of petition verification and then, if funds are remaining, for the amount of the election assessment. If there are insufficient funds in the account to pay the full amount of either the assessment or the fee or both, the remaining funds shall be disbursed in the above manner until no funds remain. All funds disbursed pursuant to this subsection shall be remitted to the qualifying officer. Any reimbursement for petition verification costs which are reimbursable by the state shall be forwarded by the qualifying officer to the state for deposit in the General Revenue Fund. All reimbursements for the

amount of the election assessment shall be forwarded by the qualifying officer to the Department of State for deposit in the General Revenue Fund.

(8)(a)(7)(*) Any candidate required to dispose of campaign funds pursuant to this section shall do so within the time required by this section and shall, on or before the date by which such disposition is to have been made, shall file with the officer with whom reports are required to be filed pursuant to s. 106.07 a form prescribed by the Division of Elections listing:

1. The name and address of each person or unit of government to whom any of the funds were distributed and the amounts thereof;

2. The name and address of each person to whom an expenditure was made, together with the amount thereof and purpose therefor; and

3. The amount of such funds transferred to an office account by the candidate, together with the name and address of the bank, savings and loan association, or credit union in which the office account is located; and

4. The amount of such funds retained pursuant to subsection (6), together with the name and address of the bank, savings and loan association, or credit union in which the retained funds are located.

Such report shall be signed by the candidate and the campaign treasurer and certified as true and correct pursuant to s. 106.07.

(b) The filing officer shall notify each candidate at least 14 days before the date the report is due.

(c) Any candidate failing to file a report on the designated due date shall be subject to a fine as provided in s. 106.07 for submitting late termination reports.

(9)(8) Any candidate elected to office who transfers surplus campaign funds into an office account pursuant to subsection (5) shall file a report on the 10th day following the end of each calendar quarter until the account is closed. Such reports shall contain the name and address of each person to whom any disbursement of funds was made, together with the amount thereof and the purpose therefor, and the name and address of any person from whom the elected candidate received any refund or reimbursement and the amount thereof. Such reports shall be on forms prescribed by the Division of Elections, signed by the elected candidate, certified as true and correct, and filed with the officer with whom campaign reports were filed pursuant to s. 106.07(2).

(10)(9) Any candidate, or any person on behalf of a candidate, who accepts contributions after such candidate has withdrawn his or her candidacy, after the candidate has become an unopposed candidate, or after the candidate has been eliminated as a candidate or elected to office commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(11)(10) Any candidate who is required by the provisions of this section to dispose of funds in his or her campaign account and who fails to dispose of the funds in the manner provided in this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 16. By December 1, 2013, the Division of Elections shall submit a proposal to the President of the Senate and the Speaker of the House of Representatives for a mandatory statewide electronic filing system for all state and local campaign filings required by s. 106.07, s. 106.0703, or s. 106.29.

Section 17. Subsection (3) of section 101.62, Florida Statutes, is amended to read:

101.62 Request for absentee ballots.—

(3) For each request for an absentee ballot received, the supervisor shall record the date the request was made, the date the absentee ballot was delivered to the voter or the voter's designee or the date the absentee ballot was delivered to the post office or other carrier, the date the ballot was received by the supervisor, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from the provisions of s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming

election, and registered political committees ~~or registered committees of continuous existence~~, for political purposes only.

Section 18. Paragraph (a) of subsection (4) of section 102.031, Florida Statutes, is amended to read:

102.031 Maintenance of good order at polls; authorities; persons allowed in polling rooms and early voting areas; unlawful solicitation of voters.—

(4)(a) No person, political committee, ~~committee of continuous existence~~, or other group or organization may solicit voters inside the polling place or within 100 feet of the entrance to any polling place, or polling room where the polling place is also a polling room, or early voting site. Before the opening of the polling place or early voting site, the clerk or supervisor shall designate the no-solicitation zone and mark the boundaries.

Section 19. Subsection (2) of section 106.087, Florida Statutes, is amended to read:

106.087 Independent expenditures; contribution limits; restrictions on political parties and political committees; ~~and committees of continuous existence~~.—

(2)(a) Any political committee ~~or committee of continuous existence~~ that accepts the use of public funds, equipment, personnel, or other resources to collect dues from its members agrees not to make independent expenditures in support of or opposition to a candidate or elected public official. However, expenditures may be made for the sole purpose of jointly endorsing three or more candidates.

(b) Any political committee ~~or committee of continuous existence~~ that violates this subsection is liable for a civil fine of up to \$5,000 to be determined by the Florida Elections Commission or the entire amount of the expenditures, whichever is greater.

Section 20. Subsection (3) of section 106.12, Florida Statutes, is amended to read:

106.12 Petty cash funds allowed.—

(3) The petty cash fund so provided may ~~shall~~ be spent only in amounts less than \$100 and only for office supplies, transportation expenses, and other necessities. Petty cash may ~~shall~~ not be used for the purchase of time, space, or services from communications media as defined in s. 106.011 ~~106.011(13)~~.

Section 21. Paragraph (b) of subsection (3) of section 106.147, Florida Statutes, is amended to read:

106.147 Telephone solicitation; disclosure requirements; prohibitions; exemptions; penalties.—

(3)

(b) For purposes of paragraph (a), the term "person" includes any candidate; any officer of any political committee, ~~committee of continuous existence~~, affiliated party committee, or political party executive committee; any officer, partner, attorney, or other representative of a corporation, partnership, or other business entity; and any agent or other person acting on behalf of any candidate, political committee, ~~committee of continuous existence~~, affiliated party committee, political party executive committee, or corporation, partnership, or other business entity.

Section 22. Section 106.17, Florida Statutes, is amended to read:

106.17 Polls and surveys relating to candidacies.—Any candidate, political committee, ~~committee of continuous existence~~, electioneering communication organization, affiliated party committee, or state or county executive committee of a political party may authorize or conduct a political poll, survey, index, or measurement of any kind relating to candidacy for public office so long as the candidate, political committee, ~~committee of continuous existence~~, electioneering communication organization, affiliated party committee, or political party maintains complete jurisdiction over the poll in all its aspects. State and county executive committees of a political party or an affiliated party committee may authorize and conduct political polls for the purpose of determining the viability of potential candidates. Such poll results may be shared with potential candidates, and expenditures incurred by state and county executive committees or an affiliated party committee for potential candidate polls are not contributions to the potential candidates.

Section 23. Subsection (2) of section 106.23, Florida Statutes, is amended to read:

106.23 Powers of the Division of Elections.—

(2) The Division of Elections shall provide advisory opinions when requested by any supervisor of elections, candidate, local officer having election-related duties, political party, affiliated party committee, political committee, ~~committee of continuous existence~~, or other person or organization engaged in political activity, relating to any provisions or possible violations of Florida election laws with respect to actions such as supervisor, candidate, local officer having election-related duties, political party, affiliated party committee, committee, person, or organization has taken or proposes to take. Requests for advisory opinions must be submitted in accordance with rules adopted by the Department of State. A written record of all such opinions issued by the division, sequentially numbered, dated, and indexed by subject matter, shall be retained. A copy shall be sent to said person or organization upon request. Any such person or organization, acting in good faith upon such an advisory opinion, shall not be subject to any criminal penalty provided for in this chapter. The opinion, until amended or revoked, shall be binding on any person or organization who sought the opinion or with reference to whom the opinion was sought, unless material facts were omitted or misstated in the request for the advisory opinion.

Section 24. Subsections (2) and (3) of section 106.265, Florida Statutes, are amended to read:

106.265 Civil penalties.—

(2) In determining the amount of such civil penalties, the commission or administrative law judge shall consider, among other mitigating and aggravating circumstances:

(a) The gravity of the act or omission;

(b) Any previous history of similar acts or omissions;

(c) The appropriateness of such penalty to the financial resources of the person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party; and

(d) Whether the person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party has shown good faith in attempting to comply with the provisions of this chapter or chapter 104.

(3) If any person, political committee, ~~committee of continuous existence~~, affiliated party committee, electioneering communications organization, or political party fails or refuses to pay to the commission any civil penalties assessed pursuant to the provisions of this section, the commission shall be responsible for collecting the civil penalties resulting from such action.

Section 25. Subsection (2) of section 106.27, Florida Statutes, is amended to read:

106.27 Determinations by commission; legal disposition.—

(2) Civil actions may be brought by the commission for relief, including permanent or temporary injunctions, restraining orders, or any other appropriate order for the imposition of civil penalties provided by this chapter. Such civil actions shall be brought by the commission in the appropriate court of competent jurisdiction, and the venue shall be in the county in which the alleged violation occurred or in which the alleged violator or violators are found, reside, or transact business. Upon a proper showing that such person, political committee, ~~committee of continuous existence~~, affiliated party committee, or political party has engaged, or is about to engage, in prohibited acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court, and the civil fines provided by this chapter may be imposed.

Section 26. Subsection (3) of section 106.32, Florida Statutes, is amended to read:

106.32 Election Campaign Financing Trust Fund.—

(3) Proceeds from assessments pursuant to ss. ~~106.04~~, 106.07; and 106.29 shall be deposited into the Election Campaign Financing Trust Fund as designated in those sections.

Section 27. Section 106.33, Florida Statutes, is amended to read:

106.33 Election campaign financing; eligibility.—Each candidate for the office of Governor or member of the Cabinet who desires to receive contributions from the Election Campaign Financing Trust Fund ~~shall~~, upon qualifying for office, shall file a request for such contributions with the filing officer on forms provided by the Division of Elections. If a candidate requesting contributions from the fund desires to have such funds distributed

by electronic fund transfers, the request shall include information necessary to implement that procedure. For the purposes of ss. 106.30-106.36, the respective candidates running for Governor and Lieutenant Governor on the same ticket shall be considered as a single candidate. To be eligible to receive contributions from the fund, a candidate may not be an unopposed candidate as defined in s. 106.011 ~~106.011(15)~~ and must:

(1) Agree to abide by the expenditure limits provided in s. 106.34.

(2)(a) Raise contributions as follows:

1. One hundred fifty thousand dollars for a candidate for Governor.

2. One hundred thousand dollars for a candidate for Cabinet office.

(b) Contributions from individuals who at the time of contributing are not state residents may not be used to meet the threshold amounts in paragraph (a). For purposes of this paragraph, any person validly registered to vote in this state shall be considered a state resident.

(3) Limit loans or contributions from the candidate's personal funds to \$25,000 and contributions from national, state, and county executive committees of a political party to \$250,000 in the aggregate, which loans or contributions do ~~shall~~ not qualify for meeting the threshold amounts in subsection (2).

(4) Submit to a postelection audit of the campaign account by the division.

Section 28. Section 111.075, Florida Statutes, is amended to read:

111.075 Elected officials; prohibition concerning certain committees.—Elected officials are prohibited from being employed by, or acting as a consultant for compensation to, a political committee ~~or committee of continuous existence~~.

Section 29. Subsections (3) and (4) and paragraph (a) of subsection (5) of section 112.3148, Florida Statutes, are amended to read:

112.3148 Reporting and prohibited receipt of gifts by individuals filing full or limited public disclosure of financial interests and by procurement employees.—

(3) A reporting individual or procurement employee is prohibited from soliciting any gift from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or the partner, firm, employer, or principal of such lobbyist, where such gift is for the personal benefit of the reporting individual or procurement employee, another reporting individual or procurement employee, or any member of the immediate family of a reporting individual or procurement employee.

(4) A reporting individual or procurement employee or any other person on his or her behalf is prohibited from knowingly accepting, directly or indirectly, a gift from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, or from a lobbyist who lobbies the reporting individual's or procurement employee's agency, or directly or indirectly on behalf of the partner, firm, employer, or principal of a lobbyist, if he or she knows or reasonably believes that the gift has a value in excess of \$100; however, such a gift may be accepted by such person on behalf of a governmental entity or a charitable organization. If the gift is accepted on behalf of a governmental entity or charitable organization, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

(5)(a) A political committee ~~or a committee of continuous existence~~, as defined in s. 106.011; a lobbyist who lobbies a reporting individual's or procurement employee's agency; the partner, firm, employer, or principal of a lobbyist; or another on behalf of the lobbyist or partner, firm, principal, or employer of the lobbyist is prohibited from giving, either directly or indirectly, a gift that has a value in excess of \$100 to the reporting individual or procurement employee or any other person on his or her behalf; however, such person may give a gift having a value in excess of \$100 to a reporting individual or procurement employee if the gift is intended to be transferred to a governmental entity or a charitable organization.

Section 30. Subsections (3) and (4) of section 112.3149, Florida Statutes, are amended to read:

112.3149 Solicitation and disclosure of honoraria.—

(3) A reporting individual or procurement employee is prohibited from knowingly accepting an honorarium from a political committee ~~or committee of continuous existence~~, as defined in s. 106.011, from a lobbyist who lobbies

the reporting individual's or procurement employee's agency, or from the employer, principal, partner, or firm of such a lobbyist.

(4) A political committee ~~or committee of continuous existence~~, as defined in s. 106.011, a lobbyist who lobbies a reporting individual's or procurement employee's agency, or the employer, principal, partner, or firm of such a lobbyist is prohibited from giving an honorarium to a reporting individual or procurement employee.

Section 31. Subsection (4) of section 1004.28, Florida Statutes, is amended to read:

1004.28 Direct-support organizations; use of property; board of directors; activities; audit; facilities.—

(4) ACTIVITIES; RESTRICTION.—A university direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the university.

Section 32. Paragraph (d) of subsection (4) of section 1004.70, Florida Statutes, is amended to read:

1004.70 Florida College System institution direct-support organizations.—

(4) ACTIVITIES; RESTRICTIONS.—

(d) A Florida College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the Florida College System institution.

Section 33. Paragraph (c) of subsection (4) of section 1004.71, Florida Statutes, is amended to read:

1004.71 Statewide Florida College System institution direct-support organizations.—

(4) RESTRICTIONS.—

(c) A statewide Florida College System institution direct-support organization is prohibited from giving, either directly or indirectly, any gift to a political committee ~~or committee of continuous existence~~ as defined in s. 106.011 for any purpose other than those certified by a majority roll call vote of the governing board of the direct-support organization at a regularly scheduled meeting as being directly related to the educational mission of the State Board of Education.

Section 34. For the purpose of incorporating the amendment made by this act into section 106.08, Florida Statutes, in a reference thereto, subsection (2) of section 106.075, Florida Statutes, is reenacted to read:

106.075 Elected officials; report of loans made in year preceding election; limitation on contributions to pay loans.—

(2) Any person who makes a contribution to an individual to pay all or part of a loan incurred, in the 12 months preceding the election, to be used for the individual's campaign, may not contribute more than the amount which is allowed in s. 106.08(1).

Section 35. For the purpose of incorporating the amendments made by this act to section 106.08, Florida Statutes, in references thereto, section 106.19, Florida Statutes, is reenacted to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(1) Any candidate; campaign manager, campaign treasurer, or deputy treasurer of any candidate; committee chair, vice chair, campaign treasurer, deputy treasurer, or other officer of any political committee; agent or person acting on behalf of any candidate or political committee; or other person who knowingly and willfully:

(a) Accepts a contribution in excess of the limits prescribed by s. 106.08;

(b) Fails to report any contribution required to be reported by this chapter;

(c) Falsely reports or deliberately fails to include any information required by this chapter; or

(d) Makes or authorizes any expenditure in violation of s. 106.11(4) or any other expenditure prohibited by this chapter;

is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) Any candidate, campaign treasurer, or deputy treasurer; any chair, vice chair, or other officer of any political committee; any agent or person acting on behalf of any candidate or political committee; or any other person who violates paragraph (1)(a), paragraph (1)(b), or paragraph (1)(d) shall be subject to a civil penalty equal to three times the amount involved in the illegal act. Such penalty may be in addition to the penalties provided by subsection (1) and shall be paid into the General Revenue Fund of this state.

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a paid petition circulator which does not provide the name and address of the paid petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

(4) Except as otherwise expressly stated, the failure by a candidate to comply with the requirements of this chapter has no effect upon whether the candidate has qualified for the office the candidate is seeking.

Section 36. (1) For the 2013-2014 fiscal year, one full-time equivalent position, with associated salary rate of 33,000, is authorized, and \$42,900 in recurring funds from the Elections Commission Trust Fund within the Department of Legal Affairs is appropriated to the Florida Elections Commission to carry out the provisions of this act.

(2) For the 2013-2014 fiscal year, two full-time equivalent positions, with associated salary rate of 57,297, are authorized, and \$85,000 in recurring funds from the General Revenue Fund is appropriated to the Division of Elections of the Department of State to carry out the provisions of this act.

(3) This section shall take effect July 1, 2013.

Section 37. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect November 1, 2013.

===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to campaign finance; repealing s. 106.04, F.S., relating to the certification and political activities of committees of continuous existence; prohibiting a committee of continuous existence from accepting a contribution after a certain date; providing for revocation of the certification of each committee of continuous existence on a certain date; requiring the Division of Elections to provide certain notifications to committees of continuous existence; providing procedures for disposition of funds and closing of the committee account; providing penalties; providing for the applicability of penalties incurred by the committee of continuous existence; authorizing a committee of continuous existence to make unlimited contributions to a political committee; amending and reordering s. 106.011, F.S., relating to definitions applicable to provisions governing campaign financing; deleting the definition of the term "committee of continuous existence" to conform to changes made by the act; revising the definition of the term "election" to include the selection of members of political party executive committees; conforming cross-references; amending s. 106.021, F.S.; providing requirements and restrictions on the use of contributions received before a candidate changes his or her candidacy to a different office; prohibiting a political committee from making an expenditure for the purpose of jointly endorsing three or more candidates outside the scope of the requirements of ch. 106, F.S.; amending s. 106.022, F.S.; conforming a provision to changes made by the act; amending s. 106.025, F.S.; providing that tickets or advertising for a campaign fundraiser must comply with the requirements of political advertisements circulated before an election; amending s. 106.03, F.S.; conforming provisions and cross-references to changes made by the act; amending s. 106.05, F.S.; revising the information that is required to appear on a bank account for deposit of funds; reenacting and amending s. 106.07, F.S., relating to reports by campaign treasurers; revising reporting requirements for candidates and political committees; conforming a cross-reference; creating s. 106.0702, F.S.; requiring certain

individuals seeking a publicly elected position on a political party executive committee to file a report with the supervisor of elections before the primary election; providing filing and notice requirements; specifying the contents of the report; requiring the supervisor to make a specified form available to a reporting individual; requiring the reporting individual to certify to the correctness of the report; providing criminal penalties for a reporting individual who willfully files an incorrect, false, or incomplete report; providing for a fine under specified conditions; authorizing a reporting individual to appeal a fine to the Florida Elections Commission; requiring the supervisor to notify the commission of specified violations; amending s. 106.0703, F.S.; revising reporting requirements for electioneering communications organizations; reenacting and amending s. 106.0705, F.S., relating to the electronic filing of campaign treasurer's reports; conforming provisions and cross-references to changes made by the act; amending s. 106.08, F.S.; increasing the limitations on contributions made to certain candidates; removing limitations on contributions made to political committees; removing a limitation on contributions made by specified minors; revising limitations on contributions to nonstatewide candidates from specified political party committees; conforming provisions and cross-references to changes made by the act; reenacting and amending s. 106.11, F.S.; revising the information that is required to appear on bank account checks of candidates or political committees; revising information used to determine when debit cards are considered bank checks; amending s. 106.141, F.S.; prohibiting a candidate from giving more than a specified amount of surplus funds to an affiliated party committee or political party; increasing the amount of funds that certain candidates may transfer to an office account; specifying permissible expenses with office account funds; defining the term "same office"; modifying requirements and conditions for disposing of and transferring surplus funds; authorizing certain candidates to retain a specified amount of funds for reelection to the same office; establishing requirements and conditions for retained funds; providing procedures for disposition of retained funds in certain circumstances; making changes to conform to the act; requiring the Division of Elections to submit a proposal for a mandatory statewide electronic filing system for certain state and local candidates to the Legislature by a specified date; amending ss. 101.62, 102.031, 106.087, 106.12, 106.147, 106.17, 106.23, 106.265, 106.27, 106.32, 106.33, 111.075, 112.3148, 112.3149, 1004.28, 1004.70, and 1004.71, F.S.; conforming provisions and cross-references to changes made by the act; reenacting s. 106.075(2), F.S., relating to contributions made to pay back campaign loans incurred, to incorporate the amendment made to s. 106.08, F.S., in a reference thereto; reenacting s. 106.19, F.S., relating to criminal and enhanced civil penalties for certain campaign finance violations, to incorporate the amendments made to s. 106.08, F.S., in references thereto; providing appropriations; authorizing specified numbers of full-time equivalent positions with associated salary rates within the Florida Elections Commission and the Division of Elections; providing effective dates.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 205].

On motion by Rep. Schenck, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of CS/CS/CS/HB 569. The vote was:

Session Vote Sequence: 206

Speaker Weatherford in the Chair.

Yeas—79

| | | | |
|-----------|------------|-------------|-----------|
| Adkins | Caldwell | Diaz, M. | Hager |
| Ahern | Clelland | Eagle | Harrell |
| Albritton | Coley | Fasano | Holder |
| Artiles | Combee | Fitzenhagen | Hood |
| Baxley | Corcoran | Fresen | Hooper |
| Beshears | Crisafulli | Gaetz | Hudson |
| Bileca | Cummings | Gonzalez | Hutson |
| Brodeur | Davis | Goodson | Ingram |
| Broxson | Diaz, J. | Grant | Jones, S. |

| | | | |
|-----------|-----------|---------------|-------------|
| Kerner | Oliva | Raschein | Smith |
| La Rosa | O'Toole | Raulerson | Spano |
| Lee | Passidomo | Ray | Steube |
| Magar | Patronis | Renuart | Stone |
| Mayfield | Perry | Roberson, K. | Tobia |
| McBurney | Peters | Rodriguez, R. | Trujillo |
| McGhee | Pigman | Rooney | Van Zant |
| Metz | Pilon | Rouson | Weatherford |
| Moraitis | Porter | Santiago | Wood |
| Moskowitz | Precourt | Saunders | Young |
| Núñez | Raburn | Schenck | |

Nays—34

| | | | |
|---------------|-----------|---------------------|--------------|
| Antone | Edwards | Rehwinkel Vasilinda | Thurston |
| Berman | Fullwood | Richardson | Torres |
| Bracy | Gibbons | Rodríguez, J. | Waldman |
| Campbell | Jones, M. | Rogers | Watson, B. |
| Castor Dentel | Pafford | Slosberg | Watson, C. |
| Clarke-Reed | Powell | Stafford | Williams, A. |
| Cruz | Pritchett | Stark | Zimmermann |
| Danish | Rader | Stewart | |
| Dudley | Rangel | Taylor | |

Votes after roll call:

Yeas—Boyd, Nelson
 Yeas to Nays—Lee, McGhee
 Nays to Yeas—Edwards

Explanation of Vote for Sequence Number 206

Vote was made in error. At all times, I intended to vote No on 569.

*Rep. Kionne L. McGhee
 District 117*

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

Special Orders

HB 7157—A bill to be entitled An act relating to ratification of rules implementing total maximum daily loads for impaired water bodies; ratifying specified rules of the Department of Environmental Protection for the sole and exclusive purpose of satisfying any condition on effectiveness pursuant to s. 120.541(3), F.S., which requires ratification of any rule meeting any of specified thresholds for likely adverse impact or increase in regulatory costs; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 135—A bill to be entitled An act relating to spaceport territory; amending s. 331.304, F.S.; revising spaceport territory for purposes of the Space Florida Act to include certain property; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 321—A bill to be entitled An act relating to community development; amending s. 163.3180, F.S.; prohibiting a local government from applying transportation concurrency or requiring proportionate-share contribution or construction for new business development for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; amending s. 163.31801, F.S.; prohibiting certain counties, municipalities, and special districts from imposing certain new or existing impact fees for a specified period; providing an exception; providing for an extension of the prohibition under certain conditions; providing for applicability; providing for future expiration; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/CS/HB 785—A bill to be entitled An act relating to restitution for juvenile offenses; amending s. 985.437, F.S.; requiring a child's parent or guardian, in addition to the child, to make restitution for damage or loss caused by the child's offense; providing for payment plans in certain circumstances; authorizing the parent or guardian to be absolved of liability for restitution in certain circumstances; specifying that the Department of Children and Families is not a guardian for purposes of restitution; amending s. 985.513, F.S.; removing duplicative provisions authorizing the court to require a parent or guardian to be responsible for any restitution ordered against the child; providing an effective date.

—was read the second time by title.

Representative Eagle offered the following:

(Amendment Bar Code: 901059)

Amendment 1 (with title amendment)—Remove lines 57-60 and insert:

(5) For purposes of this section, the Department of Children and Families, a foster parent with whom the child is placed, or the community-based care lead agency supervising the placement of the child pursuant to contract with the department are not considered guardians responsible for restitution for the delinquent acts of a child who is found to be dependent as defined in s. 39.01(15).

TITLE AMENDMENT

Remove lines 9-11 and insert:
 circumstances; providing exceptions; amending s. 985.513, F.S.; removing

Rep. Eagle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/HB 7083—A bill to be entitled An act relating to the death penalty; providing a short title; amending s. 27.40, F.S.; requiring the court to appoint the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; amending s. 27.51, F.S.; removing the court's authority to appoint a public defender to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.511, F.S.; removing the court's authority to appoint the office of criminal conflict and civil regional counsel to represent a person convicted and sentenced to death in clemency proceedings; amending s. 27.5303, F.S.; removing the court's authority to appoint a public defender to represent an indigent person convicted and sentenced to death in clemency proceedings; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.7001, F.S.; removing legislative intent language indicating that collateral representation of persons convicted and sentenced to death should not include representation during clemency proceedings; amending s. 27.701(2), F.S.; repealing a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S.; authorizing the capital collateral regional counsel to represent persons convicted and sentenced to death in clemency proceedings; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking and action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for 5 years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction

capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to meet certain criteria; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager and requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.095, F.S.; requiring persons convicted and sentenced to death to pursue all possible collateral remedies in state court in accordance with the Florida Rules of Criminal Procedure rather than in accordance with statute; amending s. 922.052, F.S.; requiring the sheriff to send the record of a person's conviction and death sentence to the clerk of the Florida Supreme Court; specifying that a sentence shall not be executed until the Governor or Secretary of Corrections issues a warrant; amending s. 922.11, F.S.; requiring the warden to set the day for execution within the week designated in the warrant; amending s. 922.12, F.S.; conforming provisions to changes made by the act; amending s. 922.14, F.S.; requiring the clerk of the Florida Supreme Court to send a letter to the Secretary of Corrections certifying that a person convicted and sentenced to death meets certain criteria; requiring the secretary to immediately issue a warrant upon receipt of the clerk's letter of certification directing the warden to execute the sentence within 180 days; prohibiting the secretary from issuing more than three warrants in a 90-day period; specifying how the secretary shall select which warrants to issue if he or she receives more than three letters of certification within a 90-day period; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; providing legislative intent regarding postconviction proceedings in capital cases; repealing ss. 924.058, 924.059, and 924.395, F.S., relating to postconviction capital case proceedings; providing severability; providing an appropriation; providing an effective date.

—was read the second time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

Representative Gaetz offered the following:

(Amendment Bar Code: 225893)

Amendment 1 (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. This act may be cited as the "Timely Justice Act of 2013."

Section 2. Paragraph (b) of subsection (5) of section 27.5304, Florida Statutes, is amended to read:

27.5304 Private court-appointed counsel; compensation; notice.—

(5) The compensation for representation in a criminal proceeding shall not exceed the following:

(b) If a death sentence is imposed and affirmed on appeal to the Supreme Court, the appointed attorney shall be allowed compensation, not to exceed \$1,000, for attorney fees and costs incurred in representing the defendant as to an application for executive clemency, with compensation to be paid out of general revenue from funds budgeted to the Justice Administrative Commission Department of Corrections.

Section 3. Section 27.701, Florida Statutes, is amended to read:

27.701 Capital collateral regional counsel.—

(4) There are created three regional offices of capital collateral counsel, which shall be located in a northern, middle, and southern region of the state. The northern region shall consist of the First, Second, Third, Fourth, Eighth, and Fourteenth Judicial Circuits; the middle region shall consist of the Fifth, Sixth, Seventh, Ninth, Tenth, Twelfth, Thirteenth, and Eighteenth Judicial Circuits; and the southern region shall consist of the Eleventh, Fifteenth, Sixteenth, Seventeenth, Nineteenth, and Twentieth Judicial Circuits. Each regional office shall be administered by a regional counsel. A regional counsel must be, and must have been for the preceding 5 years, a member in good standing of The Florida Bar or a similar organization in another state. Each capital collateral regional counsel shall be appointed by the Governor, and is subject to confirmation by the Senate. The Supreme Court Judicial Nominating Commission shall recommend to the Governor three qualified candidates for each appointment as regional counsel. The Governor shall appoint a regional counsel for each region from among the recommendations, or, if it is in the best interest of the fair administration of justice in capital cases, the Governor may reject the nominations and request submission of three new nominees by the Supreme Court Judicial Nominating Commission. Each capital collateral regional counsel shall be appointed to a term of 3 years. Vacancies in the office of capital collateral regional counsel shall be filled in the same manner as appointments. A person appointed as a regional counsel may not run for or accept appointment to any state office for 2 years following vacation of office.

~~(2) Notwithstanding the provisions of subsection (1), the responsibilities of the regional office of capital collateral counsel for the northern region of the state shall be met through a pilot program using only attorneys from the registry of attorneys maintained pursuant to s. 27.710. Each attorney participating in the pilot must be qualified to provide representation in federal court. The Auditor General shall schedule a performance review of the pilot program to determine the effectiveness and efficiency of using attorneys from the registry compared to the capital collateral regional counsel. The review, at a minimum, shall include comparisons of the timeliness and costs of the pilot and the counsel and shall be submitted to the President of the Senate and the Speaker of the House of Representatives by January 30, 2007. The Legislature may determine whether to convert the pilot program to a permanent program after receipt of the Auditor General's review.~~

Section 4. Subsection (1) and paragraph (b) of subsection (4) of section 27.702, Florida Statutes, are amended to read:

27.702 Duties of the capital collateral regional counsel; reports.—

(1) The capital collateral regional counsel shall represent each person convicted and sentenced to death in this state for the sole purpose of instituting and prosecuting collateral actions challenging the legality of the judgment and sentence imposed against such person in the state courts, federal courts in this state, the United States Court of Appeals for the Eleventh Circuit, and the United States Supreme Court. ~~The capital collateral regional counsel and the attorneys appointed pursuant to s. 27.710 shall file only those postconviction or collateral actions authorized by statute.~~ The three capital collateral regional counsel's offices shall function independently and be separate budget entities, and the regional counsel shall be the office heads for all purposes. The Justice Administrative Commission shall provide administrative support and service to the three offices to the extent requested by the regional counsel. The three regional offices shall not be subject to control, supervision, or direction by the Justice Administrative Commission in any manner, including, but not limited to, personnel, purchasing, transactions involving real or personal property, and budgetary matters.

(4)

~~(b) Each capital collateral regional counsel and each attorney participating in the pilot program in the northern region pursuant to s. 27.701(2) shall provide a quarterly report to the President of the Senate and the Speaker of the House of Representatives which details the number of hours worked by investigators and legal counsel per case and the amounts per case expended during the preceding quarter in investigating and litigating capital collateral cases.~~

Section 5. Section 27.703, Florida Statutes, is amended to read:

27.703 Conflict of interest and substitute counsel.—

(1) The capital collateral regional counsel shall not accept an appointment or take any other action that will create an actual ~~a~~ conflict of interest. If, at any time during the representation of a person, the capital collateral regional counsel alleges ~~determines~~ that the continued representation of that person creates an actual ~~a~~ conflict of interest, the sentencing court shall, upon determining that an actual conflict exists upon application by the regional counsel, designate another regional counsel. If the replacement regional counsel alleges that an actual conflict of interest exists, the sentencing court shall, upon determining that an actual conflict exists and, only if a conflict exists with the other two counsel, appoint one or more members of The Florida Bar who meet the requirements of s. 27.704(2) and who are not disqualified pursuant to s. 27.7045 to represent the person one or more of such persons. An actual conflict of interest exists when an attorney actively represents conflicting interests. A possible, speculative, or merely hypothetical conflict is insufficient to support an allegation that an actual conflict of interest exists.

(2) Appointed counsel shall be paid from funds appropriated to the Chief Financial Officer. The hourly rate may not exceed \$100. However, all appointments of private counsel under this section shall be in accordance with ss. 27.710 and 27.711.

(3) Capital collateral regional ~~Prior to employment,~~ counsel appointed pursuant to this section must have participated in at least five felony jury trials, five felony appeals, or five capital postconviction evidentiary hearings, or any combination of at least five of such proceedings, and must not be disqualified pursuant to s. 27.7045.

Section 6. Section 27.704, Florida Statutes, is amended to read:

27.704 Appointment of assistants and other staff.—Each capital collateral regional counsel may:

(1) Appoint, employ, and establish, in such numbers as he or she determines, full-time or part-time assistant counsel, investigators, and other clerical and support personnel who shall be paid from funds appropriated for that purpose. A full-time assistant capital collateral counsel must not be disqualified pursuant to s. 27.7045; must be a member in good standing of The Florida Bar, with not less than 3 years' experience in the practice of criminal law; and, prior to employment, must have participated in at least five felony jury trials, five felony appeals, or five capital postconviction evidentiary hearings or any combination of at least five of such proceedings. Law school graduates who do not have the qualifications of a full-time assistant capital collateral counsel may be employed as members of the legal staff but may not be designated as sole counsel for any person.

(2) Contract with private counsel who are members in good standing of The Florida Bar or with public defenders for the purpose of providing prompt and cost-effective representation for individuals who are sentenced to death in this state. A private counsel or public defender under contract with the regional counsel must not be disqualified pursuant to s. 27.7045; must have at least 3 years' experience in the practice of criminal law; and, prior to the contract, must have participated in at least two capital trials or capital sentencing proceedings ~~five felony jury trials~~, five felony appeals, or five capital postconviction evidentiary hearings, or any combination of at least five of such proceedings.

(3) Appoint pro bono assistant counsel, who must be members in good standing of The Florida Bar, and who shall serve without compensation at the discretion of the capital collateral regional counsel.

Section 7. Section 27.7045, Florida Statutes, is created to read:

27.7045 Capital case proceedings; constitutionally deficient representation.—Notwithstanding another provision of law, an attorney employed by the state or appointed pursuant to s. 27.711 may not represent a person charged with a capital offense at trial or on direct appeal or a person sentenced to death in a postconviction proceeding if, in two separate instances, a court, in a capital postconviction proceeding, determined that such attorney provided constitutionally deficient representation and relief was granted as a result. This prohibition on representation shall be for a period of 5 years, which commences at the time relief is granted after the highest court having jurisdiction to review the deficient representation determination has issued its final order affirming the second such determination.

Section 8. Section 27.7081, Florida Statutes, is amended to read:
(Substantial rewording of section. See

s. 27.7081, F.S., for present text.)

27.7081 Capital postconviction public records production.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Agency" has the same meaning as provided in s. 119.011.

(b) "Collateral counsel" means a capital collateral regional counsel from one of the three regions in Florida, a private attorney who has been appointed to represent a capital defendant for postconviction litigation, or a private attorney who has been hired by the capital defendant or who has agreed to work pro bono for a capital defendant for postconviction litigation.

(c) "Public records" has the same meaning as provided in s. 119.011.

(d) "Trial court" means:

1. The judge who entered the judgment and imposed the sentence of death; or

2. If a motion for postconviction relief in a capital case has been filed and a different judge has already been assigned to that motion, the judge who is assigned to rule on that motion.

(2) APPLICABILITY AND SCOPE.—This section only applies to the production of public records for capital postconviction defendants and does not change or alter the time periods specified in Rule 3.851, Florida Rules of Criminal Procedure. Furthermore, this section does not affect, expand, or limit the production of public records for any purpose other than use in a proceeding held pursuant to Rule 3.850 or Rule 3.851, Florida Rules of Criminal Procedure. This section shall not be a basis for renewing public records requests that have been initiated previously or for relitigating issues pertaining to production of public records upon which a court has ruled before July 1, 2013. Public records requests made in postconviction proceedings in capital cases in which the conviction and sentence of death have been affirmed on direct appeal before July 1, 2013, shall be governed by the rules and laws in effect immediately before July 1, 2013.

(3) RECORDS REPOSITORY.—The Secretary of State shall establish and maintain a records repository to archive capital postconviction public records as provided for in this section.

(4) FILING AND SERVICE.—

(a) The original of all notices, requests, or objections filed under this section must be filed with the clerk of the trial court. Copies must be served on the trial court, the Attorney General, the state attorney, collateral counsel, and any affected person or agency, unless otherwise required by this section.

(b) Service shall be made pursuant to Rule 3.030, Florida Rules of Criminal Procedure.

(c) In all instances requiring written notification or request, the party who has the obligation of providing a notification or request shall provide proof of receipt.

(d) Persons and agencies receiving postconviction public records notifications or requests pursuant to this section are not required to furnish records filed in a trial court before the receipt of the notice.

(5) ACTION UPON ISSUANCE OF THE MANDATE ON DIRECT APPEAL.—

(a) Within 15 days after receiving written notification of the Florida Supreme Court's mandate affirming the sentence of death, the Attorney General shall file with the trial court a written notice of the mandate and serve a copy of the notice upon the state attorney who prosecuted the case, the Department of Corrections, and the defendant's trial counsel. The notice to the state attorney shall direct the state attorney to submit public records to the records repository within 90 days after receipt of written notification and to notify each law enforcement agency involved in the investigation of the capital offense to submit public records to the records repository within 90 days after receipt of written notification. The notice to the Department of Corrections shall direct the department to submit public records to the records repository within 90 days after receipt of written notification.

(b) Within 90 days after receiving written notification of issuance of the Florida Supreme Court's mandate affirming a death sentence, the state attorney shall provide written notification to the Attorney General of the name and address of an additional person or agency that has public records pertinent to the case.

(c) Within 90 days after receiving written notification of issuance of the Florida Supreme Court's mandate affirming a death sentence, the defendant's trial counsel shall provide written notification to the Attorney General of the

name and address of a person or agency with information pertinent to the case which has not previously been provided to collateral counsel.

(d) Within 15 days after receiving written notification of any additional person or agency pursuant to paragraph (b) or paragraph (c), the Attorney General shall notify all persons or agencies identified pursuant to paragraph (b) or paragraph (c) that these persons or agencies are required by law to copy, index, and deliver to the records repository all public records pertaining to the case that are in their possession. The person or agency shall bear the costs related to copying, indexing, and delivering the records.

(6) ACTION UPON RECEIPT OF NOTICE OF MANDATE.—

(a) Within 15 days after receipt of a written notice of the mandate from the Attorney General, the state attorney shall provide written notification to each law enforcement agency involved in the specific case to submit public records to the records repository within 90 days after receipt of written notification. A copy of the notice shall be served upon the defendant's trial counsel.

(b) Within 90 days after receipt of a written notice of the mandate from the Attorney General, the state attorney shall copy, index, and deliver to the records repository all public records that were produced in the state attorney's investigation or prosecution of the case. The state attorney shall bear the costs. The state attorney shall also provide written notification to the Attorney General of compliance with this section, including certifying that, to the best of the state attorney's knowledge or belief, all public records in the state attorney's possession have been copied, indexed, and delivered to the records repository as required by this section.

(c) Within 90 days after receipt of written notification of the mandate from the Attorney General, the Department of Corrections shall, at its own expense, copy, index, and deliver to the records repository all public records determined by the department to be relevant to the subject matter of a proceeding under Rule 3.851, Florida Rules of Criminal Procedure, unless such copying, indexing, and delivering would be unduly burdensome. The Secretary of Corrections shall provide written notification to the Attorney General of compliance with this paragraph certifying that, to the best of the Secretary of Corrections' knowledge or belief, all such public records in the possession of the Secretary of Corrections have been copied, indexed, and delivered to the records repository.

(d) Within 90 days after receipt of written notification of the mandate from the state attorney, a law enforcement agency shall, at its own expense, copy, index, and deliver to the records repository all public records that were produced in the investigation or prosecution of the case. The chief law enforcement officer of each law enforcement agency shall provide written notification to the Attorney General of compliance with this paragraph including certifying that, to the best of the chief law enforcement officer's knowledge or belief, all such public records in possession of the agency or in possession of an employee of the agency, have been copied, indexed, and delivered to the records repository.

(e) Within 90 days after receipt of written notification of the mandate from the Attorney General, each additional person or agency identified pursuant to paragraph (5)(b) or paragraph (5)(c) shall copy, index, and deliver to the records repository all public records which were produced during the prosecution of the case. The person or agency shall bear the costs. The person or agency shall provide written notification to the Attorney General of compliance with this subdivision and shall certify, to the best of the person or agency's knowledge and belief, all such public records in the possession of the person or agency have been copied, indexed, and delivered to the records repository.

(7) EXEMPT OR CONFIDENTIAL PUBLIC RECORDS.—

(a) Public records delivered to the records repository pursuant to this section that are confidential or exempt from the requirements of s. 119.07(1) or s. 24(a), Art. I of the State Constitution, must be separately contained, without being redacted, and sealed. The outside of the container must clearly identify that the public record is confidential or exempt and that the seal may not be broken without an order of the trial court. The outside of the container must identify the nature of the public records and the legal basis for the exemption.

(b) Upon the entry of an appropriate court order, sealed containers subject to an inspection by the trial court shall be shipped to the clerk of court. The containers may be opened only for inspection by the trial court. The moving

party shall bear all costs associated with the transportation and inspection of such records by the trial court.

(8) DEMAND FOR ADDITIONAL PUBLIC RECORDS.—

(a) Within 240 days after collateral counsel is appointed, retained, or appears pro bono, such counsel shall send a written demand for additional public records to each person or agency submitting public records or identified as having information pertinent to the case under subsection (5).

(b) Within 90 days after receipt of the written demand, each person or agency notified under this subsection shall deliver to the records repository additional public records in the possession of the person or agency that pertain to the case and shall certify to the best of the person or agency's knowledge and belief that all additional public records have been delivered to the records repository or, if no additional public records are found, shall recertify that the public records previously delivered are complete.

(c) Within 60 days after receipt of the written demand, a person or agency may file with the trial court an objection to the written demand described in paragraph (a). The trial court may order a person or agency to produce additional public records if the court determines that:

1. Collateral counsel has made a timely and diligent search as provided in this section.

2. Collateral counsel's written demand identifies, with specificity, those additional public records that are not at the records repository.

3. The additional public records sought are relevant to the subject matter of a postconviction proceeding under Rule 3.851, Florida Rules of Criminal Procedure, or appear reasonably calculated to lead to the discovery of admissible evidence.

4. The additional public records request is not overly broad or unduly burdensome.

(9) LIMITATION ON POSTPRODUCTION REQUEST FOR ADDITIONAL RECORDS.—

(a) In order to obtain public records in addition to those provided under subsections (6), (7), and (8), collateral counsel must file an affidavit in the trial court which:

1. Attests that collateral counsel has made a timely and diligent search of the records repository.

2. Identifies with specificity those public records not at the records repository.

3. Establishes that the additional public records are either relevant to the subject matter of the postconviction proceeding or are reasonably calculated to lead to the discovery of admissible evidence.

4. Must be served in accordance with subsection (4).

(b) The trial court may order a person or agency to produce additional public records only upon finding that:

1. Collateral counsel has made a timely and diligent search of the records repository.

2. Collateral counsel's affidavit identifies with specificity those additional public records that are not at the records repository.

3. The additional public records sought are either relevant to the subject matter of a capital postconviction proceeding or appear reasonably calculated to lead to the discovery of admissible evidence.

4. The additional records request is not overly broad or unduly burdensome.

(10) COPYING RECORDS.— The Secretary of State shall provide the personnel, supplies, and any necessary equipment to copy records held at the records repository.

(11) AUTHORITY OF THE COURT.—In proceedings under this section the trial court may:

(a) Compel or deny disclosure of records.

(b) Conduct an inspection in camera.

(c) Extend the time periods in this section upon a showing of good cause.

(d) Impose sanctions upon a party, person, or agency affected by this section, including initiating contempt proceedings, taxing expenses, extending time periods, ordering facts to be established, and granting other relief.

(e) Resolve a dispute arising under this section unless jurisdiction is in an appellate court.

(12) SCOPE OF PRODUCTION AND RESOLUTION OF PRODUCTION ISSUES.—

(a) Unless otherwise limited, the scope of production under any part of this section shall be that the public records sought are not privileged or immune from production and are either relevant to the subject matter of a postconviction proceeding under Rule 3.851, Florida Rules of Criminal Procedure, or are reasonably calculated to lead to the discovery of admissible evidence.

(b) Counsel for a party objecting or moving to compel production of public records pursuant to this section must file a copy of the objection or motion directly with the trial court.

(c) The trial court may order mediation for a controversy as to public records production pursuant to this section in accord with Rules 1.700, 1.710, 1.720, and 1.730, Florida Rules of Civil Procedure, or the trial court may refer such controversy to a magistrate in accord with Rule 1.490, Florida Rules of Civil Procedure.

(13) DESTRUCTION OF RECORDS.—Sixty days after a capital sentence is carried out, after a defendant is released from incarceration after the granting of a pardon or reversal of the sentence, or after a defendant has been resentenced to a term of years, the Attorney General shall provide written notification of this occurrence to the Secretary of State. After the expiration of the 60 days, the Secretary of State may destroy the copies of the records held by the records repository that pertain to that case, unless an objection to the destruction is filed in the trial court and served upon the Secretary of State. If no objection is served within the 60-day period, the records may then be destroyed. If an objection is served, the records shall not be destroyed until a final disposition of the objection.

Section 9. Subsections (3) and (4) of section 27.710, Florida Statutes, are amended to read:

27.710 Registry of attorneys applying to represent persons in postconviction capital collateral proceedings; certification of minimum requirements; appointment by trial court.—

(3) An attorney who applies for registration and court appointment as counsel in postconviction capital collateral proceedings must certify that he or she is counsel of record in not more than nine ~~four~~ such proceedings and, if appointed to represent a person in postconviction capital collateral proceedings, shall continue such representation under the terms and conditions set forth in s. 27.711 until the sentence is reversed, reduced, or carried out or unless permitted to withdraw from representation by the trial court. The court may not permit an attorney to withdraw from representation without a finding of sufficient good cause. The court may impose appropriate sanctions if it finds that an attorney has shown bad faith with respect to continuing to represent a defendant in a postconviction capital collateral proceeding. This section does not preclude the court from reassigning a case to a capital collateral regional counsel following discontinuation of representation if a conflict of interest no longer exists with respect to the case.

(4) Each private attorney who is appointed by the court to represent a capital defendant must enter into a contract with the Justice Administrative Commission ~~Chief Financial Officer~~. If the appointed attorney fails to execute the contract within 30 days after the date the contract is mailed to the attorney, the executive director shall notify the trial court. The Justice Administrative Commission ~~Chief Financial Officer~~ shall develop the form of the contract, function as contract manager, and enforce performance of the terms and conditions of the contract. The Justice Administrative Commission shall approve uniform contract forms for use in procuring the services of private court-appointed counsel and uniform procedures and forms for use by a court-appointed attorney in support of billing for attorney fees, costs, and related expenses to demonstrate attorney completion of specified duties. By signing such contract, the attorney certifies that he or she intends to continue the representation under the terms and conditions set forth in the contract until the sentence is reversed, reduced, or carried out or until released by order of the trial court.

Section 10. Subsections (3), (4), (5), (6), (7), (9), (12), (13), and (14) of section 27.711, Florida Statutes, are amended to read:

27.711 Terms and conditions of appointment of attorneys as counsel in postconviction capital collateral proceedings.—

(3) An attorney appointed to represent a capital defendant is entitled to payment of the fees set forth in this section only upon full performance by the attorney of the duties specified in this section and approval of payment by the trial court, and the submission of a payment request by the attorney, subject to the availability of sufficient funding specifically appropriated for this purpose. ~~An attorney may not be compensated under this section for work performed by the attorney before July 1, 2003, while employed by the northern regional office of the capital collateral counsel.~~ The Justice Administrative Commission ~~Chief Financial Officer~~ shall notify ~~the executive director and~~ the court if it appears that sufficient funding has not been specifically appropriated for this purpose to pay any fees which may be incurred. The attorney shall maintain appropriate documentation, including a current and detailed hourly accounting of time spent representing the capital defendant. The fee and payment schedule in this section is the exclusive means of compensating a court-appointed attorney who represents a capital defendant. When appropriate, a court-appointed attorney must seek further compensation from the Federal Government, as provided in 18 U.S.C. s. 3006A or other federal law, in habeas corpus litigation in the federal courts.

(4) Upon approval by the trial court, an attorney appointed to represent a capital defendant under s. 27.710 is entitled to payment of the following fees by the Justice Administrative Commission ~~Chief Financial Officer~~:

(a) Regardless of the stage of postconviction capital collateral proceedings, the attorney is entitled to \$100 per hour, up to a maximum of \$2,500, after accepting appointment and filing a notice of appearance.

(b) The attorney is entitled to \$100 per hour, up to a maximum of \$20,000, after timely filing in the trial court the capital defendant's complete original motion for postconviction relief under the Florida Rules of Criminal Procedure. The motion must raise all issues to be addressed by the trial court. However, an attorney is entitled to fees under this paragraph if the court schedules a hearing on a matter that makes the filing of the original motion for postconviction relief unnecessary or if the court otherwise disposes of the case.

(c) The attorney is entitled to \$100 per hour, up to a maximum of \$20,000, after the trial court issues a final order granting or denying the capital defendant's motion for postconviction relief.

(d) The attorney is entitled to \$100 per hour, up to a maximum of \$20,000, after timely filing in the Supreme Court the capital defendant's brief or briefs that address the trial court's final order granting or denying the capital defendant's motion for postconviction relief and the state petition for writ of habeas corpus.

(e) The attorney is entitled to \$100 per hour, up to a maximum of \$10,000, after the trial court issues an order, pursuant to a remand from the Supreme Court, which directs the trial court to hold further proceedings on the capital defendant's motion for postconviction relief.

(f) The attorney is entitled to \$100 per hour, up to a maximum of \$4,000, after the appeal of the trial court's denial of the capital defendant's motion for postconviction relief and the capital defendant's state petition for writ of habeas corpus become final in the Supreme Court.

(g) At the conclusion of the capital defendant's postconviction capital collateral proceedings in state court, the attorney is entitled to \$100 per hour, up to a maximum of \$2,500, after filing a petition for writ of certiorari in the Supreme Court of the United States.

(h) If, at any time, a death warrant is issued, the attorney is entitled to \$100 per hour, up to a maximum of \$5,000. This payment shall be full compensation for attorney ~~attorney's~~ fees and costs for representing the capital defendant throughout the proceedings before the state courts of Florida.

The hours billed by a contracting attorney under this subsection may include time devoted to representation of the defendant by another attorney who is qualified under s. 27.710 and who has been designated by the contracting attorney to assist him or her.

(5) An attorney who represents a capital defendant may use the services of one or more investigators to assist in representing a capital defendant. Upon approval by the trial court, the attorney is entitled to payment from the Justice Administrative Commission ~~Chief Financial Officer~~ of \$40 per hour, up to a maximum of \$15,000, for the purpose of paying for investigative services.

(6) An attorney who represents a capital defendant is entitled to a maximum of \$15,000 for miscellaneous expenses, such as the costs of preparing transcripts, compensating expert witnesses, and copying documents. Upon approval by the trial court, the attorney is entitled to payment by the Justice Administrative Commission Chief Financial Officer of up to \$15,000 for miscellaneous expenses, except that, if the trial court finds that extraordinary circumstances exist, the attorney is entitled to payment in excess of \$15,000.

(7) An attorney who is actively representing a capital defendant is entitled to a maximum of \$500 per fiscal year for tuition and expenses for continuing legal education that pertains to the representation of capital defendants. Upon approval by the trial court, the attorney is entitled to payment by the Justice Administrative Commission Chief Financial Officer for expenses for such tuition and continuing legal education.

(9) An attorney may not represent more than ten ~~five~~ defendants in capital postconviction litigation at any one time.

(12) The court shall monitor the performance of assigned counsel to ensure that the capital defendant is receiving quality representation. The court shall also receive and evaluate allegations that are made regarding the performance of assigned counsel. The Justice Administrative Commission Chief Financial Officer, the Department of Legal Affairs, ~~the executive director~~, or any interested person may advise the court of any circumstance that could affect the quality of representation, including, but not limited to, false or fraudulent billing, misconduct, failure to meet continuing legal education requirements, solicitation to receive compensation from the capital defendant, or failure to file appropriate motions in a timely manner.

(13) ~~Before~~ Prior to the filing of a motion for order approving payment of ~~attorney~~ attorney's fees, costs, or related expenses, the assigned counsel shall deliver a copy of his intended billing, together with supporting affidavits and all other necessary documentation, to the Justice Administrative Commission Chief Financial Officer's named contract manager. The Justice Administrative Commission shall review the intended billing ~~contract manager shall have 10 business days from receipt to review the billings, affidavit, and documentation for completeness and compliance with contractual and statutory requirements. If the Justice Administrative Commission contract manager objects to any portion of the proposed billing, the objection and reasons therefor shall be communicated to the assigned counsel. The assigned counsel may thereafter file his or her motion for order approving payment of attorney~~ attorney's fees, costs, or related expenses together with supporting affidavits and all other necessary documentation. The motion must specify whether the Justice Administrative Commission Chief Financial Officer's contract manager objects to any portion of the billing or the sufficiency of documentation and, if so, the reason therefor. A copy of the motions and attachments shall be served on the Justice Administrative Commission at least 5 business days before the date of a hearing. The Justice Administrative Commission has standing to appear before the court to contest any motion for an order approving payment of attorney fees, costs, or related expenses and may participate in a hearing on the motion by use of telephonic or other communication equipment. A copy of the motion and attachments shall be served on the Chief Financial Officer's contract manager, who shall have standing to file pleadings and appear before the court to contest any motion for order approving payment. The fact that the Justice Administrative Commission Chief Financial Officer's contract manager has not objected to any portion of the billing or to the sufficiency of the documentation is not binding on the court, which retains primary authority and responsibility for determining the reasonableness of all billings for fees, costs, and related expenses, subject to statutory limitations.

~~(14) Each attorney participating in the pilot program in the northern region pursuant to s. 27.701(2), as a condition of payment pursuant to this section, shall report on the performance measures adopted by the Legislature for the capital collateral regional counsel.~~

Section 11. Section 922.095, Florida Statutes, is amended to read:

922.095 Grounds for death warrant; ~~limitations of actions.~~—A person who is convicted and sentenced to death must pursue all possible collateral remedies in state court in accordance with the Florida Rules of Criminal Procedure ~~within the time limits provided by statute. Failure to seek relief within the statutory time limits constitutes grounds for issuance of a death~~

~~warrant under s. 922.052 or s. 922.14. Any claim not pursued within the statutory time limits is barred. No claim filed after the time required by law shall be grounds for a judicial stay of any warrant.~~

Section 12. Section 922.052, Florida Statutes, is amended to read:

922.052 Issuance of warrant of execution.—

(1) When a person is sentenced to death, the clerk of the court shall prepare a certified copy of the record of the conviction and sentence, and the sheriff shall send the record to the Governor and the clerk of the Florida Supreme Court.

(2)(a) The clerk of the Florida Supreme Court shall inform the Governor in writing certifying that a person convicted and sentenced to death, before or after the effective date of the act, has:

1. Completed such person's direct appeal and initial postconviction proceeding in state court, and habeas corpus proceeding and appeal therefrom in federal court; or

2. Allowed the time permitted for filing a habeas corpus petition in federal court to expire.

(b) Within 30 days after receiving the letter of certification from the clerk of the Florida Supreme Court, the Governor shall issue a warrant for execution if the executive clemency process has concluded, directing the warden to execute the sentence within 180 days, at a time designated in the warrant.

(c) If, in the Governor's sole discretion, the clerk of the Florida Supreme Court has not complied with the provisions of paragraph (a) with respect to any person sentenced to death, the Governor may sign a warrant of execution for such person where the executive clemency process has concluded.

(3) The sentence shall not be executed until the Governor issues a warrant, attaches it to the copy of the record, and transmits it to the warden, directing the warden to execute the sentence at a time designated in the warrant.

~~(4)(2)~~ If, for any reason, the sentence is not executed during the week designated, the warrant shall remain in full force and effect and the sentence shall be carried out as provided in s. 922.06.

Section 13. Section 924.055, Florida Statutes, is amended to read:

924.055 Postconviction review in capital cases; legislative findings and intent.—

~~(4) It is the intent of the Legislature to reduce delays in capital cases and to ensure that all appeals and postconviction actions in capital cases are resolved as soon as possible within 5 years after the date a sentence of death is imposed in the circuit court. All capital postconviction actions must be filed as early as possible after the imposition of a sentence of death which may be during a direct appeal of the conviction and sentence. A person sentenced to death or that person's capital postconviction counsel must file any postconviction legal action in compliance with the Florida Rules of Criminal Procedure statutes of limitation established in s. 924.056 and elsewhere in this chapter. Except as expressly allowed by s. 924.056(5), a person sentenced to death or that person's capital postconviction counsel may not file more than one postconviction action in a sentencing court and one appeal therefrom to the Florida Supreme Court, unless authorized by law.~~

~~(2) It is the further intent of the Legislature that no state resources be expended in violation of this act. In the event that any state employee or party contracting with the state violates the provisions of this act, the Attorney General shall deliver to the Speaker of the House of Representatives and the President of the Senate a copy of any court pleading or order that describes or adjudicates a violation.~~

Section 14. Section 924.056, Florida Statutes, is amended to read:

(Substantial rewording of section. See

s. 924.056, F.S., for present text.)

924.056 Capital postconviction proceedings; reporting requirements.—

(1) The Supreme Court shall annually report to the Speaker of the House of Representatives and the President of the Senate the status of each capital case in which a postconviction action has been filed that has been continuously pending for more than 3 years. The report must include the name of the state court judge involved in the case.

(2) In a capital postconviction proceeding in which it has been determined that an attorney of record provided constitutionally deficient representation and relief has been granted as a result of such determination, after the highest court having jurisdiction to review such determination has issued its final order

affirming the determination, the court making such determination shall furnish a copy of the findings to The Florida Bar for appropriate disciplinary action.

Section 15. Section 924.057, Florida Statutes, is amended to read:

(Substantial rewording of section. See

s. 924.057, F.S., for present text.)

924.057 Capital postconviction proceedings; legislative intent.—The Legislature acknowledges the efforts made by the judicial branch in establishing the rules of criminal procedure that make the capital postconviction process fair and more efficient. The Legislature also recognizes and commends the judicial branch for continuing these efforts by issuing Administrative Order AOSC13-11, which creates a Capital Postconviction Proceedings Subcommittee of the Criminal Court Steering Committee, and directs the subcommittee to undertake a comprehensive review of capital postconviction proceedings, and to make recommendations to the Supreme Court whether court rules should be amended to improve the overall efficiency of the capital postconviction process. In support of these efforts, the Legislature expresses its intent that capital postconviction proceedings be conducted in accordance with court rules, and that courts strictly adhere to the timeframes and postconviction motion content requirements established therein.

Section 16. Sections 924.058, 924.059, and 924.395, Florida Statutes, are repealed.

Section 17. If a provision of this act or the application thereof to a person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 18. Effective July 1, 2013, four full-time equivalent positions with associated salary and rate of 220,000 are authorized and \$417,338 in recurring funds from the General Revenue Fund and \$14,832 in nonrecurring general revenue is appropriated to the Justice Administration Commission for the creation of the northern region office of the Capital Collateral Regional Counsel as provided in this act.

Section 19. This act shall take effect July 1, 2013.

TITLE AMENDMENT

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the death penalty; providing a short title; amending s. 27.5304, F.S.; requiring funds used to compensate court-appointed attorneys who represent a person convicted and sentenced to death in clemency proceedings to be paid by the Justice Administrative Commission rather than the Department of Corrections; amending s. 27.701(2), F.S.; repealing a pilot project using registry attorneys to provide capital collateral counsel services in the northern region of the Capital Collateral Regional Counsel; amending s. 27.702, F.S.; removing language requiring the capital collateral regional counsel to only file postconviction actions authorized by statute; amending s. 27.703, F.S.; prohibiting the capital collateral regional counsel and replacement regional counsel from accepting an appointment or taking and action that creates an actual conflict of interest; describing actual conflict of interest; amending s. 27.704, F.S.; requiring attorneys who contract with the capital collateral regional counsel to meet certain criteria; creating s. 27.7045, F.S.; prohibiting an attorney from representing a person charged with a capital offense in specified proceedings for 5 years if in two separate instances a court, in a capital postconviction proceeding, determined that the attorney provided constitutionally deficient representation and relief was granted; amending s. 27.7081, F.S.; providing definitions; establishing procedures for public records production in postconviction capital cases proceedings; amending s. 27.710, F.S.; requiring private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to contract with the Justice Administrative Commission rather than the Chief Financial Officer; specifying that the Justice Administrative Commission is the contract manager; requiring the Justice Administrative Commission to approve uniform contract forms and procedures; amending s. 27.711, F.S.; replacing references to the "Chief Financial Officer" with "Justice Administrative Commission" for purposes of paying private registry attorneys appointed by

the court to represent persons in postconviction capital proceedings; permitting private registry attorneys appointed by the court to represent persons in postconviction capital proceedings to represent no more than ten, rather than five, defendants in capital postconviction litigation at any one time; amending s. 922.095, F.S.; requiring persons convicted and sentenced to death to pursue all possible collateral remedies in state court in accordance with the Florida Rules of Criminal Procedure rather than in accordance with statute; amending s. 922.052, F.S.; requiring the sheriff to send the record of a person's conviction and death sentence to the clerk of the Florida Supreme Court; requiring the clerk of the Florida Supreme Court to inform the Governor in writing certifying that a person convicted and sentenced to death meets certain criteria; requiring the Governor to issue a warrant within 30 days of receiving the clerk's letter of certification in all cases where the executive clemency process has concluded directing the warden to execute the sentence within 180 days; authorizing the Governor to sign a warrant of execution if the clerk of the Florida Supreme Court does not comply; amending s. 924.055, F.S.; removing obsolete language requiring capital postconviction motions to be filed in accordance with statute; requiring capital postconviction motions to be filed in accordance with the Florida Rules of Criminal Procedure; amending s. 924.056, F.S.; requiring the Supreme Court to annually report certain information regarding capital postconviction cases to the Legislature; requiring courts to report specified findings of ineffective assistance of counsel to The Florida Bar; amending s. 924.057, F.S.; providing legislative intent regarding postconviction proceedings in capital cases; repealing ss. 924.058, 924.059, and 924.395, F.S., relating to postconviction capital case proceedings; providing severability; providing an appropriation; providing an effective date.

Rep. Gaetz moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/CS/CS/HB 1125—A bill to be entitled An act relating to employers and employees; amending s. 34.01, F.S.; providing jurisdiction of county courts over wage theft civil actions; creating s. 448.115, F.S.; providing a definition for the term "wage theft"; creating a civil cause of action for wage theft; providing the procedure for filing of a civil action for wage theft; providing jurisdiction; providing a limitation on the filing fee; requiring a claimant to notify the employer of the employee's intention to initiate a civil action; allotting the employer a specific time to resolve the action; providing a statute of limitations; requiring a claimant to prove wage theft by a preponderance of the evidence; providing a limitation for compensatory damages; prohibiting certain damages; authorizing a county, municipality, or political subdivision to establish a process by which a claim may be filed; prohibiting a local government from adopting or maintaining in effect a law, ordinance, or rule for the purpose of addressing unpaid wage claims; prohibiting the preemption of certain local ordinances governing wage theft; providing that any regulation, ordinance, or other provision for recovery of unpaid wages by counties, municipalities, or political subdivisions is prohibited and preempted to the state; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 229—A bill to be entitled An act relating to land trusts; creating s. 689.073, F.S., and transferring, renumbering, and amending s. 689.071(4) and (5), F.S.; providing requirements relating to vesting of ownership in a trustee; providing exclusion and applicability; amending s. 689.071, F.S.; revising and providing definitions; revising provisions relating to land trust transfers of real property and vesting of ownership in a trustee; prohibiting the operation of the statute of uses to execute a land trust or to vest the trust property under certain conditions; prohibiting the operation of the doctrine of merger to execute a land trust or to vest the trust property under certain conditions; providing conditions under which a beneficial interest is deemed real property; revising and providing rights, liabilities, and duties of land trust beneficiaries; authorizing certain beneficial ownership methods; providing for the perfection of security documents; providing that a trustee's

legal and equitable title to the trust property is separate and distinct from the beneficiary's beneficial interest in the land trust and the trust property; prohibiting a lien, judgment, mortgage, security interest, or other encumbrance against one interest from automatically attaching to another interest; providing that the appointment of a guardian ad litem is not necessary in certain foreclosure litigation affecting the title to trust property of a land trust; conforming provisions to changes made by the act; deleting provisions relating to the applicability of certain successor trustee provisions; providing notice requirements; providing for the determination of applicable law for certain trusts; providing for applicability relating to Uniform Commercial Code financing statements; providing requirements for recording effectiveness; amending s. 736.0102, F.S.; revising and providing scope of the Florida Trust Code; providing a directive to the Division of Law Revision and Information; providing an effective date.

—was read the second time by title.

Representative Rodríguez, J. offered the following:

(Amendment Bar Code: 506909)

Amendment 1—Remove lines 513-521 and insert:

including any amendment made on or after such date, are no greater than those limited duties described in s. 689.071(2)(c).

(d) If the trust agreement for a land trust created before the effective date of this act is amended on or after such date to add to or increase the duties of the trustee beyond the duties provided in the trust agreement as of the effective date of this act, the trust shall remain a land trust governed by this section only if the additional or increased duties of the trustee implemented by the amendment are no greater than those

Rep. J. Rodríguez moved the adoption of the amendment, which was adopted.

On motion by Rep. J. Rodríguez, the rules were waived and **CS/CS/HB 229** was read the third time by title. On passage, the vote was:

Session Vote Sequence: 207

Representative Coley in the Chair.

Yeas—114

| | | | |
|---------------|-------------|---------------|-------------|
| Adkins | Eagle | Moraitis | Rooney |
| Ahern | Edwards | Moskowitz | Rouson |
| Albritton | Fasano | Nelson | Santiago |
| Antone | Fitzenhagen | Núñez | Saunders |
| Artiles | Fresen | Oliva | Schenck |
| Baxley | Fullwood | O'Toole | Schwartz |
| Berman | Gaetz | Pafford | Slosberg |
| Beshears | Gibbons | Passidomo | Smith |
| Bileca | Gonzalez | Patronis | Spano |
| Boyd | Goodson | Perry | Stafford |
| Bracy | Grant | Peters | Stark |
| Brodeur | Hager | Pigman | Steube |
| Broxson | Harrell | Porter | Stewart |
| Caldwell | Holder | Powell | Stone |
| Campbell | Hood | Precourt | Taylor |
| Castor Dentel | Hooper | Pritchett | Thurston |
| Clarke-Reed | Hudson | Raburn | Tobia |
| Clelland | Hutson | Rader | Torres |
| Coley | Ingram | Rangel | Trujillo |
| Combee | Jones, M. | Raschein | Van Zant |
| Corcoran | Jones, S. | Raulerson | Waldman |
| Crisafulli | Kerner | Ray | Watson, B. |
| Cruz | La Rosa | Rehwinkel | Watson, C. |
| Cummings | Lee | Renuart | Weatherford |
| Danish | Magar | Richardson | Wood |
| Davis | Mayfield | Roberson, K. | Young |
| Diaz, J. | McBurney | Rodriguez, R. | Zimmermann |
| Diaz, M. | McGhee | Rodríguez, J. | |
| Dudley | Metz | Rogers | |

Nays—1

Pilon

Votes after roll call:

Yeas—Williams, A.

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

Rep. Schenck moved that the House revert to the order of business of—

Bills and Joint Resolutions on Third Reading

CS/CS/HB 833—A bill to be entitled An act relating to general assignments; amending s. 727.103, F.S.; defining the term "negative notice"; amending s. 727.104, F.S.; requiring an assignee's bond to be in at least a specific amount or double the liquidation value of the unencumbered and liquid assets of the estate, whichever is higher; amending s. 727.108, F.S.; authorizing an assignee to conduct certain discovery to determine whether to prosecute certain claims or causes of action; extending the time period an assignee may conduct the business of the assignor; authorizing the assignee to continue conducting the business of the assignor under certain circumstances by serving negative notice; amending s. 727.109, F.S.; extending the time period for which a court may authorize an assignee to conduct the business of the assignor; amending s. 727.110, F.S.; providing procedures for an assignee's rejection of an unexpired lease of nonresidential real property or of personal property; requiring the assignee to serve a notice of rejection on certain persons and file it with the court; requiring that a notice of rejection for personal property include certain information about the affected property; specifying the effective date of the rejection; requiring the estate's rights and obligations to and liability for the affected property to terminate under certain circumstances; amending s. 727.111, F.S.; extending the minimum time period for giving notice to the assignor and creditors; conforming language; providing a procedure for serving notice on certain persons; requiring an objection to be filed and served within a specific time period; requiring the notice to be in a specified form; providing that the assignee may take certain actions if an objection is not filed; requiring the court to hear a filed objection; authorizing the court to shorten negative notice under certain circumstances; providing that a party may raise the shortened notice period in certain objections; requiring a certificate of service for negative notice to be filed with the court under certain circumstances; requiring negative notice to be given to certain persons under certain circumstances; amending s. 727.113, F.S.; providing procedures for serving an objection to a claim; providing that the Florida Rules of Civil Procedure apply to objections to claims in all pending cases beginning on a specific date; creating s. 727.117, F.S.; requiring an assignee's deed to be in a specific form; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 208

Representative Coley in the Chair.

Yeas—113

| | | | |
|-----------|---------------|-------------|-----------|
| Adkins | Caldwell | Diaz, M. | Harrell |
| Ahern | Campbell | Dudley | Holder |
| Albritton | Castor Dentel | Eagle | Hood |
| Antone | Clarke-Reed | Fasano | Hooper |
| Artiles | Coley | Fitzenhagen | Hudson |
| Baxley | Combee | Fresen | Hutson |
| Berman | Corcoran | Fullwood | Ingram |
| Beshears | Crisafulli | Gaetz | Jones, M. |
| Bileca | Cruz | Gibbons | Jones, S. |
| Boyd | Cummings | Gonzalez | Kerner |
| Bracy | Danish | Goodson | La Rosa |
| Brodeur | Davis | Grant | Lee |
| Broxson | Diaz, J. | Hager | Magar |

| | | | |
|-----------|---------------------|---------------|-------------|
| Mayfield | Pilon | Rodríguez, J. | Taylor |
| McBurney | Porter | Rogers | Thurston |
| McGhee | Powell | Rooney | Tobia |
| Metz | Precourt | Rouson | Torres |
| Moraitis | Pritchett | Santiago | Trujillo |
| Moskowitz | Raburn | Saunders | Van Zant |
| Nelson | Rader | Schenck | Waldman |
| Núñez | Rangel | Schwartz | Watson, B. |
| Oliva | Raschein | Slosberg | Watson, C. |
| O'Toole | Raulerson | Smith | Weatherford |
| Pafford | Ray | Spano | Wood |
| Passidomo | Rehwinkel Vasilinda | Stafford | Young |
| Patronis | Renuart | Stark | Zimmermann |
| Perry | Richardson | Steube | |
| Peters | Roberson, K. | Stewart | |
| Pigman | Rodriguez, R. | Stone | |

Nays—None

Votes after roll call:

Yeas—Clelland, Edwards, Williams, A.

So the bill passed and was immediately certified to the Senate.

CS/HB 7165—A bill to be entitled An act relating to early learning; creating s. 1001.213, F.S.; creating the Office of Early Learning within the Department of Education; providing duties relating to the establishment and operation of the school readiness program and the Voluntary Prekindergarten Education Program; amending s. 1002.51, F.S.; conforming a cross-reference; amending s. 1002.53, F.S.; clarifying Voluntary Prekindergarten Education Program student enrollment provisions; amending s. 1002.55, F.S.; providing additional requirements for private prekindergarten providers and instructors; providing duties of the office; amending s. 1002.57, F.S.; requiring the office to adopt standards for a prekindergarten director credential; amending s. 1002.59, F.S.; requiring the office to adopt standards for training courses; amending s. 1002.61, F.S.; providing a requirement for a public school delivering the summer prekindergarten program; amending s. 1002.63, F.S.; providing a requirement for a public school delivering the school-year prekindergarten program; amending s. 1002.66, F.S.; deleting obsolete provisions; amending s. 1002.67, F.S.; requiring the office to adopt performance standards for students in the Voluntary Prekindergarten Education Program and approve curricula; revising provisions relating to removal of provider eligibility, submission of an improvement plan, and required corrective actions; amending s. 1002.69, F.S.; providing duties of the office relating to statewide kindergarten screening, kindergarten readiness rates, and good cause exemptions for providers; amending s. 1002.71, F.S.; revising provisions relating to payment of funds to providers; amending s. 1002.72, F.S.; providing for the release of Voluntary Prekindergarten Education Program student records for the purpose of investigations; amending s. 1002.75, F.S.; revising duties of the office for administering the Voluntary Prekindergarten Education Program; amending s. 1002.77, F.S.; revising provisions relating to the Florida Early Learning Advisory Council; amending s. 1002.79, F.S.; deleting certain State Board of Education rulemaking authority for the Voluntary Prekindergarten Education Program; creating part VI of ch. 1002, F.S., consisting of ss. 1002.81-1002.96, relating to the school readiness program; providing definitions; providing powers and duties of the Office of Early Learning; providing for early learning coalitions; providing early learning coalition powers and duties for the school readiness program; providing requirements for early learning coalition plans; providing a school readiness program education component; providing school readiness program eligibility and enrollment requirements; providing school readiness program provider standards and eligibility to deliver the school readiness program; providing school readiness program funding; providing a market rate schedule; providing for investigation of fraud or overpayment and penalties therefor; providing for child care and early childhood resource and referral; providing for school readiness program transportation services; providing for the Child Care Executive Partnership Program; providing for the Teacher Education and Compensation Helps scholarship program; providing for Early Head Start collaboration grants; transferring, renumbering, and amending s. 411.011, F.S., relating to the confidentiality of

records of children in the school readiness program; revising provisions with respect to the release of records; amending s. 11.45, F.S.; conforming a cross-reference; amending s. 20.15, F.S.; conforming provisions; amending s. 216.136, F.S.; conforming a cross-reference; amending s. 402.281, F.S.; revising requirements relating to receipt of a Gold Seal Quality Care designation; amending s. 402.302, F.S.; conforming a cross-reference; amending s. 402.305, F.S.; providing that certain child care after-school programs may provide meals through a federal program; amending ss. 445.023, 490.014, and 491.014, F.S.; conforming cross-references; amending s. 1001.11, F.S.; providing a duty of the Commissioner of Education relating to early learning programs; repealing s. 411.01, F.S., relating to the school readiness program and early learning coalitions; repealing s. 411.0101, F.S., relating to child care and early childhood resource and referral; repealing s. 411.01013, F.S., relating to the prevailing market rate schedule; repealing s. 411.01014, F.S., relating to school readiness transportation services; repealing s. 411.01015, F.S., relating to consultation to child care centers and family day care homes; repealing s. 411.0102, F.S., relating to the Child Care Executive Partnership Act; repealing s. 411.0103, F.S., relating to the Teacher Education and Compensation Helps scholarship program; repealing s. 411.0104, relating to Early Head Start collaboration grants; repealing s. 411.0105, F.S., relating to the Early Learning Opportunities Act and Even Start Family Literacy Programs; repealing s. 411.0106, F.S., relating to infants and toddlers in state-funded education and care programs; authorizing specified positions for the Office of Early Learning; requiring the office to develop a reorganization plan for the office and submit the plan to the Governor and the Legislature; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 209

Representative Coley in the Chair.

Yeas—114

| | | | |
|---------------|-------------|---------------------|-------------|
| Adkins | Eagle | Moskowitz | Rooney |
| Ahem | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gaetz | Pafford | Schwartz |
| Berman | Gibbons | Passidomo | Slosberg |
| Beshears | Gonzalez | Patronis | Smith |
| Bileca | Goodson | Perry | Spano |
| Boyd | Grant | Peters | Stafford |
| Bracy | Hager | Pigman | Stark |
| Brodeur | Harrell | Pilon | Steube |
| Broxson | Holder | Porter | Stewart |
| Caldwell | Hood | Powell | Stone |
| Campbell | Hooper | Precourt | Taylor |
| Castor Dentel | Hudson | Pritchett | Thurston |
| Clarke-Reed | Hutson | Raburn | Tobia |
| Clelland | Ingram | Rader | Torres |
| Coley | Jones, M. | Rangel | Trujillo |
| Combee | Jones, S. | Raschein | Van Zant |
| Corcoran | Kerner | Raulerson | Waldman |
| Crisafulli | La Rosa | Ray | Watson, B. |
| Cruz | Lee | Rehwinkel Vasilinda | Watson, C. |
| Cummings | Magar | Renuart | Weatherford |
| Danish | Mayfield | Richardson | Wood |
| Davis | McBurney | Roberson, K. | Young |
| Diaz, J. | McGhee | Rodriguez, R. | Zimmermann |
| Diaz, M. | Metz | Rodríguez, J. | |
| Dudley | Moraitis | Rogers | |

Nays—None

Votes after roll call:

Yeas—Edwards, Williams, A.

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7143—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 292.055, F.S., which provides

an exemption from public record and public meeting requirements for information identifying certain donors to the direct-support organization for the Department of Veterans' Affairs; removing superfluous language; specifying that the public meeting exemption applies to those portions of meetings wherein the identity of a donor or prospective donor whose identity is confidential and exempt is discussed; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 210

Representative Coley in the Chair.

Yeas—113

| | | | |
|---------------|-------------|---------------------|-------------|
| Adkins | Eagle | Moskowitz | Rouson |
| Ahern | Fasano | Nelson | Santiago |
| Albritton | Fitzenhagen | Núñez | Saunders |
| Antone | Fresen | Oliva | Schenck |
| Artiles | Fullwood | O'Toole | Schwartz |
| Baxley | Gaetz | Pafford | Slosberg |
| Berman | Gibbons | Passidomo | Smith |
| Beshears | Gonzalez | Patronis | Spano |
| Bileca | Goodson | Perry | Stafford |
| Boyd | Grant | Peters | Stark |
| Bracy | Hager | Pigman | Steube |
| Brodeur | Harrell | Porter | Stewart |
| Broxson | Holder | Powell | Stone |
| Caldwell | Hood | Precourt | Taylor |
| Campbell | Hooper | Pritchett | Thurston |
| Castor Dentel | Hudson | Raburn | Tobia |
| Clarke-Reed | Hutson | Rader | Torres |
| Clelland | Ingram | Rangel | Trujillo |
| Coley | Jones, M. | Raschein | Van Zant |
| Combee | Jones, S. | Raulerson | Waldman |
| Corcoran | Kerner | Ray | Watson, B. |
| Crisafulli | La Rosa | Rehwinkel Vasilinda | Watson, C. |
| Cruz | Lee | Renuart | Weatherford |
| Cummings | Magar | Richardson | Wood |
| Danish | Mayfield | Roberson, K. | Young |
| Davis | McBurney | Rodriguez, R. | Zimmermann |
| Diaz, J. | McGhee | Rodriguez, J. | |
| Diaz, M. | Metz | Rogers | |
| Dudley | Moraitis | Rooney | |

Nays—None

Votes after roll call:

Yeas—Edwards, Pilon, Williams, A.

So the bill passed and was immediately certified to the Senate.

CS/HB 361—A bill to be entitled An act relating to public meetings; providing definitions; providing an exemption from public meeting requirements for that portion of a meeting of a duly constituted criminal justice commission at which members of the commission discuss active criminal intelligence information or active criminal investigative information currently being considered by, or which may foreseeably come before, the commission; providing for future review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 211

Representative Coley in the Chair.

Yeas—112

| | | | |
|-----------|----------|---------------|------------|
| Adkins | Berman | Caldwell | Combee |
| Ahern | Beshears | Campbell | Corcoran |
| Albritton | Bileca | Castor Dentel | Crisafulli |
| Antone | Boyd | Clarke-Reed | Cruz |
| Artiles | Brodeur | Clelland | Cummings |
| Baxley | Broxson | Coley | Danish |

| | | | |
|-------------|-----------|---------------------|--------------|
| Davis | Jones, M. | Porter | Schwartz |
| Diaz, J. | Kerner | Powell | Slosberg |
| Diaz, M. | La Rosa | Precourt | Smith |
| Dudley | Lee | Pritchett | Spano |
| Eagle | Magar | Raburn | Stafford |
| Fasano | Mayfield | Rader | Steube |
| Fitzenhagen | McBurney | Rangel | Stewart |
| Fresen | McGhee | Raschein | Stone |
| Fullwood | Metz | Raulerson | Taylor |
| Gaetz | Moraitis | Ray | Thurston |
| Gibbons | Moskowitz | Rehwinkel Vasilinda | Tobia |
| Gonzalez | Nelson | Renuart | Torres |
| Goodson | Núñez | Richardson | Trujillo |
| Grant | Oliva | Roberson, K. | Van Zant |
| Hager | O'Toole | Rodriguez, R. | Waldman |
| Harrell | Pafford | Rodriguez, J. | Watson, B. |
| Holder | Passidomo | Rogers | Watson, C. |
| Hood | Patronis | Rooney | Weatherford |
| Hooper | Perry | Rouson | Williams, A. |
| Hudson | Peters | Santiago | Wood |
| Hutson | Pigman | Saunders | Young |
| Ingram | Pilon | Schenck | Zimmermann |

Nays—None

Votes after roll call:

Yeas—Edwards, Jones, S.

So the bill passed by the required constitutional two-thirds vote of members voting and was immediately certified to the Senate.

CS/HB 783—A bill to be entitled An act relating to branch offices conducting securities transactions; amending s. 517.12, F.S.; providing for a branch office notice filing with the Office of Financial Regulation in lieu of registration; creating s. 517.1202, F.S.; prohibiting a securities dealer or investment advisor from conducting business from a branch office unless a specified notice has been filed with the office; providing requirements and procedures with respect to notice filing for branch offices; authorizing the Financial Services Commission to adopt rules relating to such notice filings; providing a fee for a branch office notice filing; providing for expiration, renewal, suspension, revocation, and termination of branch office notice filings under specified circumstances; providing applicability and construction with respect to fees collected for branch office notice filings; amending ss. 517.1205, 517.121, 517.161, 517.1611, and 517.211, F.S.; conforming provisions to changes made by the act with respect to requiring branch office notice filings with the Office of Financial Regulation in lieu of registration; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 212

Representative Coley in the Chair.

Yeas—114

| | | | |
|---------------|-------------|-----------|---------------------|
| Adkins | Corcoran | Harrell | Núñez |
| Ahern | Crisafulli | Holder | Oliva |
| Albritton | Cruz | Hood | O'Toole |
| Antone | Cummings | Hooper | Pafford |
| Artiles | Danish | Hudson | Passidomo |
| Baxley | Davis | Hutson | Patronis |
| Berman | Diaz, J. | Ingram | Perry |
| Beshears | Diaz, M. | Jones, M. | Peters |
| Bileca | Dudley | Jones, S. | Pigman |
| Boyd | Eagle | Kerner | Pilon |
| Bracy | Fasano | La Rosa | Porter |
| Brodeur | Fitzenhagen | Lee | Powell |
| Broxson | Fresen | Magar | Precourt |
| Caldwell | Fullwood | Mayfield | Raburn |
| Campbell | Gaetz | McBurney | Rader |
| Castor Dentel | Gibbons | McGhee | Rangel |
| Clarke-Reed | Gonzalez | Metz | Raschein |
| Clelland | Goodson | Moraitis | Raulerson |
| Coley | Grant | Moskowitz | Ray |
| Combee | Hager | Nelson | Rehwinkel Vasilinda |

| | | | |
|---------------|----------|----------|--------------|
| Renuart | Saunders | Stewart | Watson, B. |
| Richardson | Schenck | Stone | Watson, C. |
| Roberson, K. | Schwartz | Taylor | Weatherford |
| Rodriguez, R. | Slosberg | Thurston | Williams, A. |
| Rodriguez, J. | Smith | Tobia | Wood |
| Rogers | Spano | Torres | Young |
| Rooney | Stafford | Trujillo | Zimmermann |
| Rouson | Stark | Van Zant | |
| Santiago | Steube | Waldman | |

Nays—None

Votes after roll call:

Yeas—Edwards

So the bill passed and was immediately certified to the Senate.

CS/HB 7019—A bill to be entitled An act relating to development permits; amending ss. 125.022 and 166.033, F.S.; requiring counties and municipalities to attach certain disclaimers and include certain permit conditions when issuing development permits; amending s. 163.3167, F.S.; providing that an initiative or referendum process for any development order is prohibited; providing that an initiative or referendum process for any local comprehensive plan amendments and map amendments is prohibited; providing an exception for an initiative or referendum process specifically authorized by local government charter provision in effect as of June 1, 2011, for certain local comprehensive plan amendments and map amendments; providing that certain charter provisions for an initiative or referendum process are not sufficient; providing legislative intent; providing that certain prohibitions apply retroactively; amending s. 341.8203, F.S.; defining "communication facilities" and "railroad company" as used in the Florida Rail Enterprise Act; amending s. 341.822, F.S.; requiring the rail enterprise to establish a process to issue permits for railroad companies to construct communication facilities within a high speed rail system; providing rulemaking authority; providing for fees for issuing a permit; creating s. 341.825, F.S.; providing for a permit authorizing the permittee to locate, construct, operate, and maintain communication facilities within a new or existing high speed rail system; providing for application procedures and fees; providing for the effects of a permit; providing an exemption from local land use and zoning regulations; authorizing the enterprise to permit variances and exemptions from rules of the enterprise or other agencies; providing that a permit is in lieu of licenses, permits, certificates, or similar documents required under specified laws; providing for a modification of a permit; amends s. 341.840, F.S.; conforming a cross-reference; amending s. 125.35, F.S.; providing that a county may include a commercial development that is ancillary to a professional sports facility in the lease of a sports facility; amending s. 32, ch. 2012-205, Laws of Florida, relating to the extension of certain permits and authorizations issued by the Department of Environmental Protection, water management districts, and local governments; revising the date by which holders of such permits and authorizations are required to notify the authorizing agency of specified information; amending s. 381.0065, F.S.; providing that certain systems constitute compliance with nitrogen standards; requiring systems in certain areas of Monroe County to comply with specified rules and standards; deleting a requirement for new, modified, and repaired systems to meet specified standards; authorizing property owners in certain areas of Monroe County to install certain tanks and systems; providing that certain systems in Monroe County are not required to connect to the central sewer system until a specified date; providing an extension and renewal of certain permits issued by the Department of Environmental Protection, a water management district, or a local government for areas to be served by central sewer systems within the Florida Keys Area of Critical State Concern; providing that certain extensions may not exceed a specified number of years; prohibiting certain extensions; providing for applicability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 213

Representative Coley in the Chair.

Yeas—115

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moskowitz | Rooney |
| Ahern | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gaetz | Pafford | Schwartz |
| Berman | Gibbons | Passidomo | Slosberg |
| Beshears | Gonzalez | Patronis | Smith |
| Bileca | Goodson | Perry | Spano |
| Boyd | Grant | Peters | Stafford |
| Bracy | Hager | Pigman | Stark |
| Brodeur | Harrell | Pilon | Steube |
| Broxson | Holder | Porter | Stewart |
| Caldwell | Hood | Powell | Stone |
| Campbell | Hooper | Precourt | Taylor |
| Castor Dentel | Hudson | Pritchett | Thurston |
| Clarke-Reed | Hutson | Raburn | Tobia |
| Clelland | Ingram | Rader | Torres |
| Coley | Jones, M. | Rangel | Trujillo |
| Combee | Jones, S. | Raschein | Van Zant |
| Corcoran | Kerner | Raulerson | Waldman |
| Crisafulli | La Rosa | Ray | Watson, B. |
| Cruz | Lee | Rehwinkel Vasilinda | Watson, C. |
| Cummings | Magar | Renuart | Weatherford |
| Danish | Mayfield | Richardson | Williams, A. |
| Davis | McBurney | Roberson, K. | Wood |
| Diaz, J. | McGhee | Rodriguez, R. | Young |
| Diaz, M. | Metz | Rodriguez, J. | Zimmermann |
| Dudley | Moraitis | Rogers | |

Nays—None

Votes after roll call:

Yeas—Edwards

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 437—A bill to be entitled An act relating to community development; amending s. 159.603, F.S.; revising the definition of "qualifying housing development"; amending s. 159.608, F.S.; revising the power of a housing finance authority to make loans directly to eligible persons; amending s. 196.1978, F.S.; deleting an ad valorem tax exemption for property owned by certain Florida-based limited partnerships and used for affordable housing for certain income-qualified persons; providing for retroactive application; amending s. 420.507, F.S.; revising the powers of the Florida Housing Finance Corporation; specifying how the corporation will allocate certain funds; amending s. 420.5087, F.S.; revising provisions relating to state apartment incentive loans to provide for a competitive evaluation and selection process with respect to loan applications; amending s. 420.511, F.S.; providing that the corporation's strategic business plan must be consistent with a long-range program plan relating to affordable housing; deleting a requirement that the corporation compile certain data; revising provisions relating to the corporation's development of its long-range plan; revising the required contents and information to be included in the corporation's annual report; requiring the corporation to submit separate audited financial statements that include specified information and incorporate certain reports; requiring the Auditor General to conduct an operational audit of the corporation and provide a written report to the Legislature; amending ss. 420.0003, 420.0006, 420.504, and 420.506, F.S.; conforming provisions to changes made by this act; repealing s. 420.5091, F.S., relating to the federal Homeownership and Opportunity for People Everywhere (HOPE) program; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 214

Representative Coley in the Chair.

Yeas—113

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Fasano | Nelson | Santiago |
| Ahern | Fitzenhagen | Núñez | Saunders |
| Albritton | Fresen | Oliva | Schenck |
| Antone | Fullwood | O'Toole | Schwartz |
| Artiles | Gaetz | Pafford | Slosberg |
| Baxley | Gibbons | Passidomo | Smith |
| Berman | Gonzalez | Patronis | Spano |
| Beshears | Goodson | Perry | Stafford |
| Bileca | Grant | Peters | Stark |
| Boyd | Hager | Pigman | Steube |
| Bracy | Harrell | Pilon | Stewart |
| Brodeur | Holder | Porter | Stone |
| Broxson | Hood | Powell | Taylor |
| Caldwell | Hooper | Precourt | Thurston |
| Campbell | Hudson | Raburn | Tobia |
| Castor Dentel | Hutson | Rader | Torres |
| Clarke-Reed | Ingram | Rangel | Trujillo |
| Clelland | Jones, M. | Raschein | Van Zant |
| Coley | Jones, S. | Raulerson | Waldman |
| Combee | Kerner | Ray | Watson, B. |
| Corcoran | La Rosa | Rehwinkel Vasilinda | Watson, C. |
| Crisafulli | Lee | Renuart | Weatherford |
| Cruz | Magar | Richardson | Williams, A. |
| Cummings | Mayfield | Roberson, K. | Wood |
| Danish | McBurney | Rodriguez, R. | Young |
| Diaz, J. | McGhee | Rodriguez, J. | Zimmermann |
| Diaz, M. | Metz | Rogers | |
| Dudley | Moraitis | Rooney | |
| Eagle | Moskowitz | Rouson | |

Nays—None

Votes after roll call:

Yeas—Davis, Edwards

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1083—A bill to be entitled An act relating to underground natural gas storage; providing a short title; amending s. 211.02, F.S.; narrowing the use of the term "oil"; amending s. 211.025, F.S.; narrowing the scope of the gas production tax to apply only to native gas; amending s. 376.301, F.S.; conforming a cross-reference; amending s. 377.06, F.S.; declaring underground natural gas storage to be in the public interest; amending s. 377.18, F.S.; clarifying common sources of oil and gas; amending s. 377.19, F.S.; modifying and providing definitions; amending s. 377.21, F.S.; extending the jurisdiction of the Division of Resource Management of the Department of Environmental Protection; amending s. 377.22, F.S.; expanding the scope of the department's rules and orders; amending s. 377.24, F.S.; providing for the notice and permitting of storage in and recovery from natural gas storage reservoirs; creating s. 377.2407, F.S.; establishing a natural gas storage facility permit application process; specifying requirements for an application, including fees; amending s. 377.241, F.S.; providing criteria that the division must consider in issuing permits; amending s. 377.242, F.S.; granting authority to the department to issue permits to establish natural gas storage facilities; creating s. 377.2431, F.S.; establishing conditions and procedures for granting natural gas storage facility permits; prohibiting the issuance of permits for facilities located in specified areas; creating s. 377.2432, F.S.; providing for the protection of water supplies at natural gas storage facilities; providing that an operator is presumed responsible for pollution of an underground water supply under certain circumstances; creating s. 377.2433, F.S.; providing for the protection of natural gas storage facilities through requirement of notice, compliance with certain standards, and a right of entry to monitor activities; creating s. 377.2434, F.S.; providing that property rights to injected natural gas are with the injector or the injector's heirs, successors, or assigns; providing for compensation to the owner of the stratum and the owner of the surface for use of or damage to the surface or substratum; amending s. 377.25, F.S.; limiting the scope of certain drilling unit requirements; amending s. 377.28,

F.S.; modifying situations in which the department is required to issue an order requiring unit operation; amending s. 377.30, F.S.; providing that limitations on the amount of oil or gas taken do not apply to nonnative gas recovered from a permitted natural gas storage facility; amending s. 377.34, F.S.; providing for legal action against a person who appears to be violating a rule that relates to the storage or recovery of natural gas; amending s. 377.37, F.S.; expanding penalties to reach persons who violate the terms of a permit relating to storage of gas in a natural gas storage facility; amending s. 377.371, F.S.; providing that a person storing gas in a natural gas storage facility may not pollute or otherwise damage certain areas and that a person who pollutes water by storing natural gas is liable for cleanup or other costs incurred by the state; amending s. 403.973, F.S.; allowing expedited permitting for natural gas storage facilities permitted under ch. 377, F.S., and certain projects to construct interstate natural gas pipelines; providing that natural gas storage facilities are subject to certain requirements; directing the department to adopt certain rules before issuing permits for natural gas storage facilities; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 215

Representative Coley in the Chair.

Yeas—102

| | | | |
|-------------|-------------|-----------|---------------|
| Adkins | Dudley | Mayfield | Richardson |
| Ahern | Eagle | McBurney | Roberson, K. |
| Albritton | Edwards | McGhee | Rodriguez, R. |
| Antone | Fasano | Metz | Rogers |
| Artiles | Fitzenhagen | Moraitis | Rooney |
| Baxley | Fresen | Moskowitz | Rouson |
| Beshears | Fullwood | Nelson | Santiago |
| Bileca | Gaetz | Núñez | Saunders |
| Boyd | Gibbons | Oliva | Schenck |
| Bracy | Gonzalez | O'Toole | Smith |
| Brodeur | Goodson | Passidomo | Steube |
| Broxson | Grant | Patronis | Stewart |
| Caldwell | Hager | Perry | Stone |
| Campbell | Harrell | Peters | Taylor |
| Clarke-Reed | Holder | Pigman | Tobia |
| Clelland | Hood | Pilon | Torres |
| Coley | Hooper | Porter | Trujillo |
| Combee | Hudson | Powell | Van Zant |
| Corcoran | Hutson | Precourt | Waldman |
| Crisafulli | Ingram | Raburn | Watson, C. |
| Cruz | Jones, M. | Rader | Weatherford |
| Cummings | Jones, S. | Rangel | Williams, A. |
| Danish | Kerner | Raschein | Wood |
| Davis | La Rosa | Raulerson | Young |
| Diaz, J. | Lee | Ray | |
| Diaz, M. | Magar | Renuart | |

Nays—13

| | | | |
|---------------|---------------------|------------|------------|
| Berman | Rehwinkel Vasilinda | Stafford | Zimmermann |
| Castor Dentel | Rodriguez, J. | Stark | |
| Pafford | Schwartz | Thurston | |
| Pritchett | Slosberg | Watson, B. | |

Votes after roll call:

Yeas—Spano

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1085—A bill to be entitled An act relating to public records; creating s. 377.24075, F.S.; creating an exemption from public records requirements for proprietary business information provided in an application for a natural gas storage facility permit to inject and recover gas into and from a natural gas storage reservoir; defining the term "proprietary business information"; authorizing disclosure of such information under specified conditions; providing for future review and repeal of the public records exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 216

Representative Coley in the Chair.

Yeas—97

| | | | |
|-------------|-------------|-----------|---------------|
| Adkins | Diaz, M. | Lee | Ray |
| Ahern | Dudley | Magar | Renuart |
| Albritton | Eagle | Mayfield | Rodrigues, R. |
| Antone | Edwards | McBurney | Rogers |
| Artiles | Fasano | Metz | Rooney |
| Baxley | Fitzenhagen | Moraitis | Rouson |
| Beshears | Fresen | Moskowitz | Santiago |
| Bileca | Fullwood | Nelson | Schenck |
| Boyd | Gaetz | Nuñez | Smith |
| Bracy | Gibbons | Oliva | Spano |
| Brodeur | Gonzalez | O'Toole | Steube |
| Broxson | Goodson | Passidomo | Stone |
| Caldwell | Grant | Patronis | Taylor |
| Campbell | Hager | Perry | Tobia |
| Clarke-Reed | Harrell | Peters | Trujillo |
| Clelland | Holder | Pigman | Van Zant |
| Coley | Hood | Pilon | Waldman |
| Combee | Hooper | Porter | Watson, C. |
| Corcoran | Hudson | Powell | Weatherford |
| Crisafulli | Hutson | Precourt | Williams, A. |
| Cruz | Ingram | Pritchett | Wood |
| Cummings | Jones, M. | Raburn | Young |
| Danish | Jones, S. | Rangel | |
| Davis | Kerner | Raschein | |
| Diaz, J. | La Rosa | Raulerson | |

Nays—16

| | | | |
|---------------|---------------------|----------|------------|
| Berman | Rehwinkel Vasilinda | Schwartz | Thurston |
| Castor Dentel | Richardson | Slosberg | Torres |
| Pafford | Rodriguez, J. | Stafford | Watson, B. |
| Rader | Saunders | Stark | Zimmermann |

Votes after roll call:

Yeas—Roberson, K.

Nays—McGhee, Stewart

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

CS/HB 163—A bill to be entitled An act relating to ticket sales; amending s. 817.355, F.S.; providing enhanced criminal penalties for second and subsequent violations concerning fraudulent creation or possession of an admission ticket; providing criminal penalties for persons who commit such violations involving more than a specified number of tickets; amending s. 817.361, F.S.; providing definitions; prohibiting the fraudulent repurchase of a multiuse ticket; providing enhanced criminal penalties for second or subsequent violations of provisions relating to the resale or repurchase of multiuse tickets; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 217

Representative Coley in the Chair.

Yeas—115

| | | | |
|-----------|---------------|-------------|-----------|
| Adkins | Campbell | Dudley | Hood |
| Ahern | Castor Dentel | Eagle | Hooper |
| Albritton | Clarke-Reed | Fasano | Hudson |
| Antone | Clelland | Fitzenhagen | Hutson |
| Artiles | Coley | Fresen | Ingram |
| Baxley | Combee | Fullwood | Jones, M. |
| Berman | Corcoran | Gaetz | Jones, S. |
| Beshears | Crisafulli | Gibbons | Kerner |
| Bileca | Cruz | Gonzalez | La Rosa |
| Boyd | Cummings | Goodson | Lee |
| Bracy | Danish | Grant | Magar |
| Brodeur | Davis | Hager | Mayfield |
| Broxson | Diaz, J. | Harrell | McBurney |
| Caldwell | Diaz, M. | Holder | McGhee |

| | | | |
|-----------|---------------------|----------|--------------|
| Metz | Powell | Rogers | Taylor |
| Moraitis | Precourt | Rooney | Thurston |
| Moskowitz | Pritchett | Rouson | Tobia |
| Nelson | Raburn | Santiago | Torres |
| Nuñez | Rader | Saunders | Trujillo |
| Oliva | Rangel | Schenck | Van Zant |
| O'Toole | Raschein | Schwartz | Waldman |
| Pafford | Raulerson | Slosberg | Watson, B. |
| Passidomo | Ray | Smith | Watson, C. |
| Patronis | Rehwinkel Vasilinda | Spano | Weatherford |
| Perry | Renuart | Stafford | Williams, A. |
| Peters | Richardson | Stark | Wood |
| Pigman | Roberson, K. | Steube | Young |
| Pilon | Rodrigues, R. | Stewart | Zimmermann |
| Porter | Rodriguez, J. | Stone | |

Nays—None

Votes after roll call:

Yeas—Edwards

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 973—A bill to be entitled An act relating to low-voltage systems; amending s. 489.503, F.S.; revising an exemption from licensure related to low-voltage electrical work performed by certain persons and entities; exempting from licensure certain employees and sales representatives of alarm system contractors; providing for construction; creating s. 553.793, F.S.; providing definitions; providing for applicability; requiring local enforcement agencies to offer for sale uniform basic permit labels to contractors for a specified cost; requiring contractors to post an unused label in a specified place before commencing work on a low-voltage alarm system project; requiring contractors to submit a Uniform Notice of a Low-Voltage Alarm System Project within a specified period; prescribing a form for such notice; providing inspection procedures and requirements for low-voltage alarm system projects; prohibiting specified local governments from adopting or maintaining certain ordinances and rules; providing that an additional uniform basic permit label shall not be required to perform work on certain alarm systems; providing for applicability; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 218

Representative Coley in the Chair.

Yeas—115

| | | | |
|---------------|-------------|---------------------|---------------|
| Adkins | Dudley | Metz | Rodrigues, R. |
| Ahern | Eagle | Moraitis | Rodriguez, J. |
| Albritton | Fasano | Moskowitz | Rogers |
| Antone | Fitzenhagen | Nelson | Rooney |
| Artiles | Fresen | Nuñez | Rouson |
| Baxley | Fullwood | Oliva | Santiago |
| Berman | Gaetz | O'Toole | Saunders |
| Beshears | Gibbons | Pafford | Schenck |
| Bileca | Gonzalez | Passidomo | Schwartz |
| Boyd | Goodson | Patronis | Slosberg |
| Bracy | Grant | Perry | Smith |
| Brodeur | Hager | Peters | Spano |
| Broxson | Harrell | Pigman | Stafford |
| Caldwell | Holder | Pilon | Stark |
| Campbell | Hood | Porter | Steube |
| Castor Dentel | Hooper | Powell | Stewart |
| Clarke-Reed | Hudson | Precourt | Stone |
| Clelland | Hutson | Pritchett | Taylor |
| Coley | Ingram | Raburn | Thurston |
| Combee | Jones, M. | Rader | Tobia |
| Corcoran | Jones, S. | Rangel | Torres |
| Crisafulli | Kerner | Raschein | Trujillo |
| Cruz | La Rosa | Raulerson | Van Zant |
| Cummings | Lee | Ray | Waldman |
| Danish | Magar | Rehwinkel Vasilinda | Watson, B. |
| Davis | Mayfield | Renuart | Watson, C. |
| Diaz, J. | McBurney | Richardson | Weatherford |
| Diaz, M. | McGhee | Roberson, K. | Williams, A. |

Wood Young Zimmermann

Thurston Waldman Watson, C. Zimmermann
Torres Watson, B. Williams, A.

Nays—None

Votes after roll call:
Yeas—Edwards

So the bill passed and was immediately certified to the Senate.

The question recurred on the passage of **CS/HB 7129**. The vote was:

Session Vote Sequence: 220

Representative Coley in the Chair.

CS/HB 7129—A bill to be entitled An act relating to residential services for children; amending s. 409.175, F.S.; revising the definition of the term "boarding school"; providing accreditation requirements for boarding schools; establishing reporting requirements for boarding schools during the accreditation process; authorizing the Department of Children and Families to impose administrative sanctions or civil remedies when residential group care is provided without a license; requiring background screening for boarding school personnel; requiring boarding schools to follow standard school schedules, holiday breaks, and summer recesses; revising residency requirements; amending s. 409.176, F.S.; requiring notification of qualified associations for specified violations; providing for fines; providing an effective date.

—was read the third time by title.

Representative Grant offered the following:

(Amendment Bar Code: 667893)

Amendment 1 (with title amendment)—Remove lines 108-147**TITLE AMENDMENT**Remove lines 14-16 and insert:
revising residency requirements;

Rep. Grant moved the adoption of the amendment, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 219

Representative Coley in the Chair.

Yeas—73

| | | | |
|------------|-------------|-----------|---------------|
| Adkins | Eagle | McBurney | Renuart |
| Ahern | Fasano | Metz | Roberson, K. |
| Albritton | Fitzenhagen | Moraitis | Rodriguez, R. |
| Artiles | Fresen | Nelson | Rooney |
| Baxley | Gaetz | Nuñez | Santiago |
| Beshears | Gonzalez | Oliva | Schenck |
| Bileca | Goodson | O'Toole | Smith |
| Boyd | Grant | Passidomo | Spano |
| Brodeur | Hager | Patronis | Steube |
| Broxson | Harrell | Perry | Stone |
| Caldwell | Holder | Peters | Tobia |
| Coley | Hood | Pigman | Trujillo |
| Combee | Hooper | Pilon | Van Zant |
| Corcoran | Hudson | Porter | Weatherford |
| Crisafulli | Hutson | Precourt | Wood |
| Cummings | Ingram | Raburn | Young |
| Davis | La Rosa | Raschein | |
| Diaz, J. | Magar | Raulerson | |
| Diaz, M. | Mayfield | Ray | |

Nays—43

| | | | |
|---------------|-----------|---------------------|----------|
| Antone | Dudley | Moskowitz | Rogers |
| Berman | Edwards | Pafford | Rouson |
| Bracy | Fullwood | Powell | Saunders |
| Campbell | Gibbons | Pritchett | Schwartz |
| Castor Dentel | Jones, M. | Rader | Slosberg |
| Clarke-Reed | Jones, S. | Rangel | Stafford |
| Clelland | Kerner | Rehwinkel Vasilinda | Stark |
| Cruz | Lee | Richardson | Stewart |
| Danish | McGhee | Rodriguez, J. | Taylor |

Yeas—115

| | | | |
|---------------|-------------|---------------|--------------|
| Adkins | Eagle | Moraitis | Rooney |
| Ahern | Edwards | Moskowitz | Rouson |
| Albritton | Fasano | Nelson | Santiago |
| Antone | Fitzenhagen | Nuñez | Saunders |
| Artiles | Fresen | Oliva | Schenck |
| Baxley | Fullwood | O'Toole | Schwartz |
| Berman | Gaetz | Pafford | Slosberg |
| Beshears | Gibbons | Passidomo | Smith |
| Bileca | Gonzalez | Patronis | Spano |
| Boyd | Goodson | Perry | Stafford |
| Bracy | Grant | Peters | Stark |
| Brodeur | Hager | Pigman | Steube |
| Broxson | Harrell | Pilon | Stewart |
| Caldwell | Holder | Porter | Stone |
| Campbell | Hood | Powell | Taylor |
| Castor Dentel | Hooper | Precourt | Thurston |
| Clarke-Reed | Hudson | Pritchett | Tobia |
| Clelland | Hutson | Raburn | Torres |
| Coley | Ingram | Rader | Trujillo |
| Combee | Jones, M. | Rangel | Van Zant |
| Corcoran | Jones, S. | Raschein | Waldman |
| Crisafulli | Kerner | Raulerson | Watson, B. |
| Cruz | La Rosa | Ray | Watson, C. |
| Cummings | Lee | Renuart | Weatherford |
| Danish | Magar | Richardson | Williams, A. |
| Davis | Mayfield | Roberson, K. | Wood |
| Diaz, J. | McBurney | Rodriguez, R. | Young |
| Diaz, M. | McGhee | Rodriguez, J. | Zimmermann |
| Dudley | Metz | Rogers | |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 837—A bill to be entitled An act relating to tax deeds; amending s. 197.502, F.S.; authorizing the tax collector to charge for reimbursement of the costs for providing online tax deed application services; providing that an applicant's use of such online application services is optional under certain circumstances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 221

Representative Coley in the Chair.

Yeas—116

| | | | |
|---------------|-------------|-----------|-----------|
| Adkins | Combee | Goodson | Metz |
| Ahern | Corcoran | Grant | Moraitis |
| Albritton | Crisafulli | Hager | Moskowitz |
| Antone | Cruz | Harrell | Nelson |
| Artiles | Cummings | Holder | Nuñez |
| Baxley | Danish | Hood | Oliva |
| Berman | Davis | Hooper | O'Toole |
| Beshears | Diaz, J. | Hudson | Pafford |
| Bileca | Diaz, M. | Hutson | Passidomo |
| Boyd | Dudley | Ingram | Patronis |
| Bracy | Eagle | Jones, M. | Perry |
| Brodeur | Edwards | Jones, S. | Peters |
| Broxson | Fasano | Kerner | Pigman |
| Caldwell | Fitzenhagen | La Rosa | Pilon |
| Campbell | Fresen | Lee | Porter |
| Castor Dentel | Fullwood | Magar | Powell |
| Clarke-Reed | Gaetz | Mayfield | Precourt |
| Clelland | Gibbons | McBurney | Pritchett |
| Coley | Gonzalez | McGhee | Raburn |

| | | | |
|---------------------|---------------|----------|--------------|
| Rader | Rodríguez, J. | Spano | Trujillo |
| Rangel | Rogers | Stafford | Van Zant |
| Raschein | Rooney | Stark | Waldman |
| Raulerson | Rouson | Steube | Watson, B. |
| Ray | Santiago | Stewart | Watson, C. |
| Rehwinkel Vasilinda | Saunders | Stone | Weatherford |
| Renuart | Schenck | Taylor | Williams, A. |
| Richardson | Schwartz | Thurston | Wood |
| Roberson, K. | Slosberg | Tobia | Young |
| Rodriguez, R. | Smith | Torres | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 795—A bill to be entitled An act relating to premises inspections; amending s. 509.032, F.S.; requiring the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to adopt rules for a risk-based inspection frequency for licensed public food service establishments; providing criteria; conforming terminology; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 222

Representative Coley in the Chair.

Yeas—114

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rouson |
| Ahern | Edwards | Moskowitz | Santiago |
| Albritton | Fasano | Nelson | Saunders |
| Antone | Fitzenhagen | Núñez | Schenck |
| Artiles | Fresen | Oliva | Schwartz |
| Baxley | Fullwood | O'Toole | Slosberg |
| Berman | Gaetz | Pafford | Smith |
| Beshears | Gibbons | Patronis | Spano |
| Bileca | Gonzalez | Perry | Stafford |
| Boyd | Goodson | Peters | Stark |
| Bracy | Grant | Pigman | Steube |
| Brodeur | Hager | Pilon | Stewart |
| Broxson | Harrell | Porter | Stone |
| Caldwell | Holder | Powell | Taylor |
| Campbell | Hood | Precourt | Thurston |
| Castor Dentel | Hooper | Pritchett | Tobia |
| Clarke-Reed | Hudson | Raburn | Torres |
| Clelland | Hutson | Rader | Trujillo |
| Coley | Ingram | Rangel | Van Zant |
| Combee | Jones, M. | Raschein | Waldman |
| Corcoran | Jones, S. | Raulerson | Watson, B. |
| Crisafulli | Kerner | Ray | Watson, C. |
| Cruz | La Rosa | Rehwinkel Vasilinda | Weatherford |
| Cummings | Lee | Renuart | Williams, A. |
| Danish | Magar | Richardson | Wood |
| Davis | Mayfield | Roberson, K. | Young |
| Diaz, J. | McBurney | Rodriguez, R. | Zimmermann |
| Diaz, M. | McGhee | Rogers | |
| Dudley | Metz | Rooney | |

Nays—None

Votes after roll call:

Yeas—Passidomo, Rodríguez, J.

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 359—A bill to be entitled An act relating to public meetings; amending s. 1004.28, F.S.; providing an exemption from public meeting requirements for any portion of a meeting of the board of directors of a university direct-support organization, or of the executive committee or other committees of such board, at which the identity of a donor or prospective donor, any proposal seeking research funding from the organization, or a plan or program for either initiating or supporting research is discussed; providing for review and repeal of the exemption; providing a statement of public necessity;

providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 223

Representative Coley in the Chair.

Yeas—114

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Trujillo |
| Combee | Jones, M. | Rangel | Van Zant |
| Corcoran | Jones, S. | Raschein | Waldman |
| Crisafulli | Kerner | Raulerson | Watson, C. |
| Cruz | La Rosa | Ray | Weatherford |
| Cummings | Lee | Rehwinkel Vasilinda | Williams, A. |
| Danish | Magar | Renuart | Wood |
| Davis | Mayfield | Richardson | Young |
| Diaz, J. | McBurney | Roberson, K. | Zimmermann |
| Diaz, M. | McGhee | Rodriguez, R. | |
| Dudley | Metz | Rodríguez, J. | |

Nays—2

Torres Watson, B.

Votes after roll call:

Nays to Yeas—Watson, B.

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

CS for SB 354—A bill to be entitled An act relating to ad valorem tax exemptions; amending s. 196.199, F.S.; providing that certain leasehold interests and improvements to land owned by the United States, a branch of the United States Armed Forces, or any agency or quasi-governmental agency of the United States are exempt from ad valorem taxation under specified circumstances; providing that such leasehold interests and improvements are entitled to an exemption from ad valorem taxation without an application being filed for the exemption or the property appraiser approving the exemption; providing for retroactive application; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 224

Representative Coley in the Chair.

Yeas—87

| | | | |
|-----------|------------|-------------|----------|
| Adkins | Caldwell | Dudley | Harrell |
| Ahern | Clelland | Eagle | Holder |
| Albritton | Coley | Fasano | Hood |
| Artiles | Combee | Fitzenhagen | Hooper |
| Baxley | Corcoran | Fresen | Hudson |
| Beshears | Crisafulli | Gaetz | Hutson |
| Bileca | Cummings | Gonzalez | Ingram |
| Boyd | Davis | Goodson | La Rosa |
| Brodeur | Diaz, J. | Grant | Magar |
| Broxson | Diaz, M. | Hager | Mayfield |

| | | | |
|-----------|---------------|---------------|--------------|
| McBurney | Pigman | Rodriguez, J. | Taylor |
| Metz | Pilon | Rooney | Tobia |
| Moraitis | Porter | Santiago | Torres |
| Moskowitz | Precourt | Saunders | Trujillo |
| Nelson | Raburn | Schenck | Van Zant |
| Núñez | Rangel | Schwartz | Waldman |
| Oliva | Raulerson | Smith | Weatherford |
| O'Toole | Ray | Spano | Williams, A. |
| Passidomo | Renuart | Stark | Wood |
| Patronis | Richardson | Steube | Young |
| Perry | Roberson, K. | Stewart | Zimmermann |
| Peters | Rodriguez, R. | Stone | |

Nays—29

| | | | |
|---------------|-----------|---------------------|------------|
| Antone | Edwards | Pafford | Slosberg |
| Berman | Fullwood | Powell | Stafford |
| Bracy | Gibbons | Pritchett | Thurston |
| Campbell | Jones, M. | Rader | Watson, B. |
| Castor Dentel | Jones, S. | Raschein | Watson, C. |
| Clarke-Reed | Kerner | Rehwinkel Vasilinda | |
| Cruz | Lee | Rogers | |
| Danish | McGhee | Rouson | |

So the bill passed, as amended, and was immediately certified to the Senate.

HB 683—A bill to be entitled An act relating to motor vehicles; amending ss. 320.02 and 322.08, F.S.; requiring the application forms for motor vehicle registration and renewal of registration and for an original, renewal, or replacement driver license or identification card to include language permitting the applicant to make a voluntary contribution to Auto Club Group Traffic Safety Foundation, Inc.; providing that such contributions are not income for specified purposes; providing for use of funds; providing that the foundation must comply with specified provisions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 225

Representative Coley in the Chair.

Yeas—113

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Edwards | Moskowitz | Rooney |
| Ahern | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gaetz | Pafford | Schwartz |
| Berman | Gibbons | Passidomo | Slosberg |
| Beshears | Gonzalez | Patronis | Smith |
| Bileca | Goodson | Perry | Spano |
| Boyd | Grant | Peters | Stafford |
| Bracy | Hager | Pigman | Stark |
| Brodeur | Harrell | Pilon | Steube |
| Broxson | Holder | Porter | Stewart |
| Caldwell | Hood | Powell | Stone |
| Campbell | Hooper | Precourt | Taylor |
| Castor Dentel | Hudson | Pritchett | Thurston |
| Clarke-Reed | Hutson | Raburn | Torres |
| Clelland | Ingram | Rader | Trujillo |
| Combee | Jones, M. | Rangel | Van Zant |
| Corcoran | Jones, S. | Raschein | Watson, B. |
| Crisafulli | Kerner | Raulerson | Watson, C. |
| Cruz | La Rosa | Ray | Weatherford |
| Cummings | Lee | Rehwinkel Vasilinda | Williams, A. |
| Danish | Magar | Renuart | Wood |
| Davis | Mayfield | Richardson | Young |
| Diaz, J. | McBurney | Roberson, K. | Zimmermann |
| Diaz, M. | McGhee | Rodriguez, R. | |
| Dudley | Metz | Rodriguez, J. | |
| Eagle | Moraitis | Rogers | |

Nays—1

Tobia

Votes after roll call:

Yeas—Coley

So the bill passed and was immediately certified to the Senate.

Consideration of **CS/CS/HB 247** was temporarily postponed.

Consideration of **CS/HB 249** was temporarily postponed.

CS/CS/HB 743—A bill to be entitled An act relating to the Fracturing Chemical Usage Disclosure Act; creating such act and providing a short title; creating s. 377.45, F.S.; directing the Department of Environmental Protection to establish an online hydraulic fracturing chemical registry; requiring owners and operators of wells on which a hydraulic fracturing treatment is performed to disclose certain information; requiring certain service providers and vendors to disclose certain information; providing for applicability; authorizing the department to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 226

Representative Coley in the Chair.

Yeas—92

| | | | |
|-------------|-------------|-----------|---------------|
| Adkins | Dudley | Mayfield | Renuart |
| Ahern | Eagle | McBurney | Roberson, K. |
| Albritton | Edwards | Metz | Rodriguez, R. |
| Artiles | Fasano | Moraitis | Rogers |
| Baxley | Fitzenhagen | Moskowitz | Rooney |
| Beshears | Fresen | Nelson | Rouson |
| Bileca | Fullwood | Núñez | Santiago |
| Boyd | Gaetz | Oliva | Saunders |
| Bracy | Gonzalez | O'Toole | Schenck |
| Brodeur | Goodson | Passidomo | Smith |
| Broxson | Hager | Patronis | Spano |
| Caldwell | Harrell | Perry | Steube |
| Campbell | Holder | Peters | Stone |
| Clarke-Reed | Hood | Pigman | Tobia |
| Clelland | Hooper | Pilon | Trujillo |
| Coley | Hudson | Porter | Van Zant |
| Combee | Hutson | Powell | Waldman |
| Corcoran | Ingram | Precourt | Watson, C. |
| Crisafulli | Jones, S. | Raburn | Weatherford |
| Cummings | Kerner | Rangel | Williams, A. |
| Davis | La Rosa | Raschein | Wood |
| Diaz, J. | Lee | Raulerson | Young |
| Diaz, M. | Magar | Ray | Zimmermann |

Nays—19

| | | | |
|---------------|-----------|---------------------|------------|
| Antone | Jones, M. | Rehwinkel Vasilinda | Stafford |
| Berman | McGhee | Richardson | Taylor |
| Castor Dentel | Pafford | Rodriguez, J. | Torres |
| Danish | Pritchett | Schwartz | Watson, B. |
| Gibbons | Rader | Slosberg | |

Votes after roll call:

Yeas—Cruz

Nays—Stark, Stewart

So the bill passed, as amended, and was immediately certified to the Senate.

CS/HB 745—A bill to be entitled An act relating to public records; amending s. 377.45, F.S.; providing an exemption from public records requirements for trade secrets relating to hydraulic fracturing treatments held by the Department of Environmental Protection in connection with the department's online hydraulic fracturing chemical registry; providing procedures and requirements with respect to maintaining the confidentiality of such trade secrets; providing for disclosure under specified circumstances; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

THE SPEAKER IN THE CHAIR

On motion by Rep. R. Rodrigues, consideration of **CS/HB 745** was temporarily postponed.

CS/HB 157—A bill to be entitled An act relating to delivery of insurance policies; amending s. 627.421, F.S.; authorizing an insurer to electronically transmit an insurance policy to the insured or other person entitled to receive the policy; providing an exception to electronic transmission for specified policies; providing requirements for electronic transmission of a policy; requiring that a paper copy of the policy be provided upon request of the insured or other person entitled to receive the policy; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 227

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rooney |
| Ahern | Edwards | Moskowitz | Rouson |
| Albritton | Fasano | Nelson | Santiago |
| Antone | Fitzenhagen | Núñez | Saunders |
| Artiles | Fresen | Oliva | Schenck |
| Baxley | Fullwood | O'Toole | Schwartz |
| Berman | Gaetz | Pafford | Slosberg |
| Beshears | Gibbons | Passidomo | Smith |
| Bileca | Gonzalez | Patronis | Spano |
| Boyd | Goodson | Perry | Stafford |
| Bracy | Grant | Peters | Stark |
| Brodeur | Hager | Pigman | Steube |
| Broxson | Harrell | Pilon | Stewart |
| Caldwell | Holder | Porter | Stone |
| Campbell | Hood | Powell | Taylor |
| Castor Dentel | Hooper | Precourt | Thurston |
| Clarke-Reed | Hudson | Pritchett | Tobia |
| Clelland | Hutson | Raburn | Torres |
| Coley | Ingram | Rader | Trujillo |
| Combee | Jones, M. | Rangel | Van Zant |
| Corcoran | Jones, S. | Raschein | Waldman |
| Crisafulli | Kerner | Ray | Watson, B. |
| Cruz | La Rosa | Rehwinkel Vasilinda | Watson, C. |
| Cummings | Lee | Renuart | Weatherford |
| Danish | Magar | Richardson | Williams, A. |
| Davis | Mayfield | Roberson, K. | Wood |
| Diaz, J. | McBurney | Rodriguez, R. | Young |
| Diaz, M. | McGhee | Rodriguez, J. | Zimmermann |
| Dudley | Metz | Rogers | |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 347—A bill to be entitled An act relating to alcoholic beverages; amending s. 565.03, F.S.; providing definitions; revising provisions with respect to the licensure and operation of distilleries; providing requirements for craft distilleries; providing for the sale of distilled spirits by licensed distilleries under certain conditions; providing reporting requirements; prohibiting the shipment of certain distilled spirits; prohibiting the transfer of a distillery license under certain conditions; prohibiting a craft distillery from having its ownership affiliated with another distillery under certain conditions; providing requirements relating to the payment of taxes; providing for applicability; providing rulemaking authority; amending s. 567.01, F.S.; providing that a county commission may order an election on the sale of alcoholic beverages for consumption on premise under certain conditions; amending ss. 561.14, 567.06, and 567.07, F.S.; conforming cross-references; providing legislative intent with respect to the severability or

nonseverability of specified amendments made by the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 228

Speaker Weatherford in the Chair.

Yeas—111

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Edwards | Moskowitz | Rooney |
| Ahern | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gibbons | Pafford | Schwartz |
| Berman | Gonzalez | Passidomo | Slosberg |
| Bileca | Goodson | Perry | Smith |
| Boyd | Grant | Peters | Spano |
| Bracy | Hager | Pigman | Stafford |
| Brodeur | Harrell | Pilon | Stark |
| Broxson | Holder | Porter | Steube |
| Caldwell | Hood | Powell | Stewart |
| Campbell | Hooper | Precourt | Stone |
| Castor Dentel | Hudson | Pritchett | Taylor |
| Clarke-Reed | Hutson | Raburn | Thurston |
| Clelland | Ingram | Rader | Tobia |
| Combee | Jones, M. | Rangel | Torres |
| Corcoran | Jones, S. | Raschein | Trujillo |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |
| Eagle | Moraitis | Rogers | |

Nays—4

| | | | |
|----------|-------|----------|----------|
| Beshears | Coley | Patronis | Van Zant |
|----------|-------|----------|----------|

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 939—A bill to be entitled An act relating to Medicaid recoveries; amending s. 409.907, F.S.; adding an additional provision relating to a change in principal that must be included in a Medicaid provider agreement with the Agency for Health Care Administration; defining the terms "administrative fines" and "outstanding overpayment"; revising provisions relating to the agency's onsite inspection responsibilities; revising provisions relating to who is subject to background screening; authorizing the agency to enroll a provider who is licensed in this state and provides diagnostic services through telecommunications technology; amending s. 409.910, F.S.; revising provisions relating to settlements of Medicaid claims against third parties; providing procedures for a Medicaid recipient to contest the amount of recovered medical expense damages; providing for certain reports to be admissible as evidence to substantiate the agency's claim; providing for venue; providing conditions regarding attorney fees and costs; amending s. 409.913, F.S.; revising provisions specifying grounds for terminating a provider from the program, for seeking certain remedies for violations, and for imposing certain sanctions; providing a limitation on the information the agency may consider when making a determination of overpayment; specifying the type of records a provider must present to contest an overpayment; clarifying a provision regarding accrued interest on certain payments withheld from a provider; deleting the requirement that the agency place payments withheld from a provider in a suspended account and revising when a provider must reimburse overpayments; revising venue requirements; adding provisions relating to the payment of fines; amending s. 409.920, F.S.; clarifying provisions relating to immunity from liability for persons who provide information about Medicaid fraud; amending s. 624.351, F.S.; revising membership requirements for the Medicaid and Public Assistance Fraud Strike Force within the Department of Financial

Services; providing for future review and repeal; amending s. 624.352, F.S., relating to interagency agreements to detect and deter Medicaid and public assistance fraud; providing for future review and repeal; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 229

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

Consideration of **CS/HB 975** was temporarily postponed.

CS/HB 1067—A bill to be entitled An act relating to pugilistic exhibitions; amending s. 548.002, F.S.; revising definitions; amending s. 548.004, F.S.; revising the duties and responsibilities of the executive director of the Florida State Boxing Commission; deleting a provision requiring the electronic recording of all scheduled Florida State Boxing Commission proceedings; amending s. 548.006, F.S.; providing the commission exclusive jurisdiction over approval of amateur mixed martial arts matches; amending s. 548.007, F.S.; revising nonapplicability of ch. 548, F.S.; repealing s. 548.015, F.S., which requires licensed concessionaires to obtain a security, to conform; amending s. 548.017, F.S.; deleting a requirement for the licensure of concessionaires; amending s. 548.046, F.S.; providing for immediate license suspension and other disciplinary action if a participant fails or refuses to provide a urine sample or tests positive for specified prohibited substances; amending s. 548.054, F.S.; revising procedure and requirements for requesting a hearing following the withholding of a purse; amending s. 548.06, F.S.; revising the calculation of gross receipts; requiring promoters to retain specified documents and records; authorizing the commission and the Department of Business and Professional Regulation to audit specified records retained by a promoter; requiring the commission to adopt rules; amending s. 548.07, F.S.; revising the procedure for suspension of licensure by specified persons; amending s. 548.073, F.S.; revising rules of procedure governing commission hearings; providing an appropriation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 230

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 1071—A bill to be entitled An act relating to health care accrediting organizations; amending ss. 154.11, 394.741, 397.403, 400.925, 400.9935, 402.7306, 408.05, 430.80, 440.13, 627.645, 627.668, 627.669, 627.736, 641.495, and 766.1015, F.S.; conforming provisions to the revised definition of the term "accrediting organizations" in s. 395.002, F.S., as amended by s. 4, ch. 2012-66, Laws of Florida, for purposes of hospital licensing and regulation by the Agency for Health Care Administration; amending s. 395.3038, F.S.; deleting an obsolete provision relating to a requirement that the agency provide certain notice relating to stroke centers to hospitals; conforming provisions to changes made by the act; amending s. 486.102, F.S.; specifying accrediting agencies for physical therapist assistant programs; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 231

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|-----------|---------------|-------------|-----------|
| Adkins | Caldwell | Diaz, J. | Hager |
| Ahern | Campbell | Diaz, M. | Harrell |
| Albritton | Castor Dentel | Dudley | Holder |
| Antone | Clarke-Reed | Eagle | Hood |
| Artiles | Clelland | Edwards | Hooper |
| Baxley | Coley | Fitzenhagen | Hudson |
| Berman | Combee | Fresen | Hutson |
| Beshears | Corcoran | Fullwood | Ingram |
| Bileca | Crisafulli | Gaetz | Jones, M. |
| Boyd | Cruz | Gibbons | Jones, S. |
| Bracy | Cummings | Gonzalez | Kerner |
| Brodeur | Danish | Goodson | La Rosa |
| Broxson | Davis | Grant | Lee |

| | | | |
|-----------|---------------------|---------------|--------------|
| Magar | Pigman | Rodrigues, R. | Stone |
| Mayfield | Pilon | Rodriguez, J. | Taylor |
| McBurney | Porter | Rogers | Thurston |
| McGhee | Powell | Rooney | Tobia |
| Metz | Precourt | Rouson | Torres |
| Moraitis | Pritchett | Santiago | Trujillo |
| Moskowitz | Raburn | Saunders | Van Zant |
| Nelson | Rader | Schenck | Waldman |
| Nuñez | Rangel | Schwartz | Watson, B. |
| Oliva | Raschein | Slosberg | Watson, C. |
| O'Toole | Raulerson | Smith | Weatherford |
| Pafford | Ray | Spano | Williams, A. |
| Passidomo | Rehwinkel Vasilinda | Stafford | Wood |
| Patronis | Renuart | Stark | Young |
| Perry | Richardson | Steube | Zimmermann |
| Peters | Roberson, K. | Stewart | |

Nays—1
Fasano

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 1093—A bill to be entitled An act relating to volunteer health services; amending ss. 458.317 and 459.0075, F.S.; revising criteria required for limited licensure for physicians; amending s. 766.1115, F.S.; revising requirements for patient referral under the "Access to Health Care Act"; eliminating a requirement that the governmental contractor approve all followup or hospital care; requiring the Department of Health to post specified information online concerning volunteer providers; permitting volunteer providers to earn continuing education credit for participation in the program up to a specified amount; providing that rules adopted by the department give providers the greatest flexibility possible in order to serve eligible patients; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 232

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Nuñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1109—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., relating to transitional living facilities; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, discharge, and length of residency; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints, seclusion, and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; requiring the agency, in consultation with the Department of Health, to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; amending s. 381.745, F.S.; revising the definition of the term "transitional living facility"; amending s. 381.75, F.S.; revising responsibilities of the Department of Health with respect to residents of transitional living facilities; amending s. 381.78, F.S.; revising the duties of the advisory council on brain and spinal cord injuries; amending ss. 408.802 and 408.820, F.S.; conforming provisions to changes made by the act; amending s. 400.93, F.S.; providing an exemption from home medical equipment licensure for transitional living facilities under certain conditions; repealing s. 400.805, F.S., relating to transitional living facilities; providing for continuation of licensure of certain transitional living facilities under the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 233

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|-----------|----------|---------------|------------|
| Adkins | Beshears | Campbell | Crisafulli |
| Ahern | Bileca | Castor Dentel | Cruz |
| Albritton | Boyd | Clarke-Reed | Cummings |
| Antone | Bracy | Clelland | Danish |
| Artiles | Brodeur | Coley | Davis |
| Baxley | Broxson | Combee | Diaz, J. |
| Berman | Caldwell | Corcoran | Diaz, M. |

| | | | |
|-------------|-----------|---------------------|--------------|
| Dudley | Kerner | Powell | Slosberg |
| Eagle | La Rosa | Precourt | Smith |
| Edwards | Lee | Pritchett | Spano |
| Fasano | Magar | Raburn | Stafford |
| Fitzenhagen | Mayfield | Rader | Stark |
| Fresen | McBurney | Rangel | Steube |
| Fullwood | McGhee | Raschein | Stewart |
| Gaetz | Metz | Raulerson | Stone |
| Gibbons | Moraitis | Ray | Taylor |
| Gonzalez | Moskowitz | Rehwinkel Vasilinda | Thurston |
| Goodson | Nelson | Renuart | Tobia |
| Grant | Nuñez | Richardson | Torres |
| Hager | Oliva | Roberson, K. | Trujillo |
| Harrell | O'Toole | Rodriguez, R. | Van Zant |
| Holder | Pafford | Rodriguez, J. | Waldman |
| Hood | Passidomo | Rogers | Watson, B. |
| Hooper | Patronis | Rooney | Watson, C. |
| Hudson | Perry | Rouson | Weatherford |
| Hutson | Peters | Santiago | Williams, A. |
| Ingram | Pigman | Saunders | Wood |
| Jones, M. | Pilon | Schenck | Young |
| Jones, S. | Porter | Schwartz | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 1145—A bill to be entitled An act relating to state-owned or state-leased space; amending s. 216.0152, F.S.; revising provisions relating to the update of an inventory of certain facilities needing repairs or innovation maintained by the Department of Management Services; revising provisions relating to a report detailing an inventory of state-owned facilities; amending s. 253.031, F.S.; clarifying that deeds may be signed by agents of the Board of Trustees of the Internal Improvement Trust Fund; amending s. 253.034, F.S.; revising provisions relating to decisions by the board to surplus lands; revising the valuation of lands that are subject to certain requirements; requiring a state agency to submit a plan if a building or parcel is offered for use to the agency; requiring the board of trustees to adopt rules; amending s. 255.248, F.S.; defining the terms "managing agency" and "tenant broker"; amending s. 255.249, F.S.; revising the responsibilities of the Department of Management Services with respect to state-owned buildings; prohibiting a state agency from leasing space in a private building under certain circumstances; requiring an agency to notify the department of an early termination of a lease within a certain timeframe; authorizing the department to direct state agencies to occupy space in a state-owned building; revising the contents of the master leasing report; authorizing state agencies to use the services of a tenant broker to provide certain information to the department; requiring the title entity or managing agency to report any vacant or underutilized space to the department; amending s. 255.25, F.S.; revising requirements for the construction or lease of certain building space; revising an exemption that allows certain agencies to negotiate a replacement lease under certain circumstances; amending s. 255.252, F.S.; specifying that a vendor for certain energy efficiency contracts must be selected in accordance with state procurement requirements; amending s. 255.254, F.S.; revising provisions relating to requirements for energy performance analysis for certain buildings; amending 255.257, F.S.; requiring all state-owned facilities to report energy consumption and cost data; amending ss. 110.171 and 985.682, F.S.; conforming cross-references; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 234

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|-----------|----------|---------|---------------|
| Adkins | Artiles | Bileca | Broxson |
| Ahern | Baxley | Boyd | Caldwell |
| Albritton | Berman | Bracy | Campbell |
| Antone | Beshears | Brodeur | Castor Dentel |

| | | | |
|-------------|-----------|---------------------|--------------|
| Clarke-Reed | Harrell | Perry | Schenck |
| Clelland | Hood | Peters | Schwartz |
| Coley | Hooper | Pigman | Slosberg |
| Combee | Hudson | Pilon | Smith |
| Corcoran | Hutson | Porter | Spano |
| Crisafulli | Ingram | Powell | Stafford |
| Cruz | Jones, M. | Precourt | Stark |
| Cummings | Jones, S. | Pritchett | Steube |
| Danish | Kerner | Raburn | Stewart |
| Davis | La Rosa | Rader | Stone |
| Diaz, J. | Lee | Rangel | Taylor |
| Diaz, M. | Magar | Raschein | Thurston |
| Dudley | Mayfield | Raulerson | Tobia |
| Eagle | McBurney | Ray | Torres |
| Edwards | McGhee | Rehwinkel Vasilinda | Trujillo |
| Fasano | Metz | Renuart | Van Zant |
| Fitzenhagen | Moraitis | Richardson | Waldman |
| Fresen | Moskowitz | Roberson, K. | Watson, B. |
| Fullwood | Nelson | Rodriguez, R. | Watson, C. |
| Gaetz | Nuñez | Rodriguez, J. | Weatherford |
| Gibbons | Oliva | Rogers | Williams, A. |
| Gonzalez | O'Toole | Rooney | Wood |
| Goodson | Pafford | Rouson | Young |
| Grant | Passidomo | Santiago | Zimmermann |
| Hager | Patronis | Saunders | |

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 7145—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.071, F.S., which provides an exemption from public record requirements for employment discrimination complaints and other records; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 235

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Nuñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 411—A bill to be entitled An act relating to children's initiatives; amending s. 409.147, F.S.; establishing the New Town Success Zone in Duval County and the Parramore Kidz Zone in Orange County; providing for the projects to be managed by corporations not for profit that are not subject to control, supervision, or direction by any department of the state; requiring the corporations to be subject to state public records and meeting requirements and procurement of commodities and contractual services requirements; requiring designated children's initiatives to assist in the creation of community-based service networks and programming that provides certain services for children and families residing in disadvantaged areas of the state; providing for evaluation, fiscal management, and oversight of the projects; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 236

Speaker Weatherford in the Chair.

Yeas—113

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Nelson | Rouson |
| Ahern | Fasano | Núñez | Santiago |
| Albritton | Fitzenhagen | Oliva | Saunders |
| Antone | Fresen | O'Toole | Schenck |
| Artiles | Fullwood | Pafford | Schwartz |
| Baxley | Gibbons | Passidomo | Slosberg |
| Berman | Gonzalez | Patronis | Smith |
| Beshears | Goodson | Perry | Spano |
| Bileca | Grant | Peters | Stafford |
| Boyd | Hager | Pigman | Stark |
| Bracy | Harrell | Pilon | Steube |
| Brodeur | Holder | Porter | Stewart |
| Broxson | Hood | Powell | Stone |
| Caldwell | Hooper | Precourt | Taylor |
| Campbell | Hudson | Pritchett | Thurston |
| Castor Dentel | Hutson | Raburn | Torres |
| Clarke-Reed | Ingram | Rader | Trujillo |
| Clelland | Jones, M. | Rangel | Van Zant |
| Coley | Jones, S. | Raschein | Waldman |
| Combee | Kerner | Raulerson | Watson, B. |
| Corcoran | La Rosa | Ray | Watson, C. |
| Crisafulli | Lee | Rehwinkel Vasilinda | Weatherford |
| Cruz | Magar | Renuart | Williams, A. |
| Cummings | Mayfield | Richardson | Wood |
| Danish | McBurney | Roberson, K. | Young |
| Davis | McGhee | Rodriguez, R. | Zimmermann |
| Diaz, J. | Metz | Rodriguez, J. | |
| Diaz, M. | Moraitis | Rogers | |
| Dudley | Moskowitz | Rooney | |

Nays—2

Gaetz Tobia

Votes after roll call:

Yeas—Edwards

So the bill passed, as amended, and was immediately certified to the Senate.

CS/CS/HB 713—A bill to be entitled An act relating to water quality credit trading; reenacting s. 373.4595(1)(n), F.S., relating to water quality credit trading, to incorporate the amendments made to s. 403.067, F.S., in a reference thereto; amending s. 403.067, F.S.; authorizing the department to implement water quality credit trading in adopted basin management action plans on an ongoing basis; deleting a requirement that voluntary trading of water credits be limited to the Lower St. Johns River Basin; authorizing additional water quality protection programs to participate in water quality credit trading; revising provisions relating to rulemaking for water quality credit trading programs; eliminating a requirement that water quality credit trading be limited to the Lower St. Johns River Basin as a pilot project; deleting a required report; making technical changes; reenacting s. 403.088(2)(e), F.S., relating to water pollution operation permits, to

incorporate the amendments made to s. 403.067, F.S., in a reference thereto; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 237

Speaker Weatherford in the Chair.

Yeas—114

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moskowitz | Rooney |
| Ahern | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gaetz | Pafford | Schwartz |
| Berman | Gibbons | Passidomo | Slosberg |
| Beshears | Gonzalez | Patronis | Smith |
| Bileca | Goodson | Perry | Spano |
| Boyd | Grant | Peters | Stafford |
| Bracy | Hager | Pigman | Stark |
| Brodeur | Harrell | Pilon | Steube |
| Broxson | Holder | Porter | Stewart |
| Caldwell | Hood | Powell | Stone |
| Campbell | Hooper | Precourt | Taylor |
| Castor Dentel | Hudson | Pritchett | Thurston |
| Clarke-Reed | Hutson | Raburn | Tobia |
| Clelland | Ingram | Rader | Torres |
| Coley | Jones, M. | Rangel | Trujillo |
| Combee | Jones, S. | Raschein | Van Zant |
| Corcoran | Kerner | Raulerson | Waldman |
| Crisafulli | La Rosa | Ray | Watson, B. |
| Cruz | Lee | Rehwinkel Vasilinda | Watson, C. |
| Cummings | Magar | Renuart | Weatherford |
| Danish | Mayfield | Richardson | Williams, A. |
| Davis | McBurney | Roberson, K. | Wood |
| Diaz, J. | McGhee | Rodriguez, R. | Young |
| Diaz, M. | Metz | Rodriguez, J. | |
| Dudley | Moraitis | Rogers | |

Nays—1

Zimmermann

Votes after roll call:

Yeas—Edwards

Yeas to Nays—Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 217—A bill to be entitled An act relating to money services businesses; amending s. 560.310, F.S.; requiring licensees engaged in check cashing to submit certain transaction information to the Office of Financial Regulation related to the payment instruments cashed; requiring the office to maintain the transaction information in a centralized check cashing database; requiring the office to issue a competitive solicitation for a database to maintain certain transaction information relating to check cashing; authorizing the office to request funds and to submit draft legislation after certain requirements are met; authorizing the Financial Services Commission to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 238

Speaker Weatherford in the Chair.

Yeas—114

| | | | |
|-----------|---------------|-------------|-------------|
| Adkins | Bileca | Clarke-Reed | Danish |
| Ahern | Boyd | Clelland | Davis |
| Albritton | Bracy | Coley | Diaz, J. |
| Antone | Brodeur | Combee | Diaz, M. |
| Artiles | Broxson | Corcoran | Dudley |
| Baxley | Caldwell | Crisafulli | Eagle |
| Berman | Campbell | Cruz | Fasano |
| Beshears | Castor Dentel | Cummings | Fitzenhagen |

| | | | |
|-----------|-----------|---------------------|--------------|
| Fresen | Mayfield | Rader | Stafford |
| Fullwood | McBurney | Rangel | Stark |
| Gaetz | McGhee | Raschein | Steube |
| Gibbons | Metz | Raulerson | Stewart |
| Gonzalez | Moraitis | Ray | Stone |
| Goodson | Moskowitz | Rehwinkel Vasilinda | Taylor |
| Grant | Nelson | Renuart | Thurston |
| Hager | Núñez | Richardson | Tobia |
| Harrell | Oliva | Roberson, K. | Torres |
| Holder | O'Toole | Rodrigues, R. | Trujillo |
| Hood | Pafford | Rodríguez, J. | Van Zant |
| Hooper | Passidomo | Rogers | Waldman |
| Hudson | Patronis | Rooney | Watson, B. |
| Hutson | Perry | Rouson | Watson, C. |
| Ingram | Peters | Santiago | Weatherford |
| Jones, M. | Pilon | Saunders | Williams, A. |
| Jones, S. | Porter | Schenck | Wood |
| Kerner | Powell | Schwartz | Young |
| La Rosa | Precourt | Slosberg | Zimmermann |
| Lee | Pritchett | Smith | |
| Magar | Raburn | Spano | |

Nays—None

Votes after roll call:
Yeas—Edwards

So the bill passed and was immediately certified to the Senate.

CS/HB 7135—A bill to be entitled An act relating to public records; creating s. 560.312, F.S.; providing an exemption from public records requirements for payment instrument transaction information held by the Office of Financial Regulation; providing for specified access to such information; authorizing the office to enter into information-sharing agreements and provide access to information contained in the database to certain governmental agencies; requiring a department or agency that receives confidential information to maintain the confidentiality of the information, except as otherwise required by court order; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 239

Speaker Weatherford in the Chair.

Yeas—113

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Fasano | Moskowitz | Rooney |
| Albritton | Fitzenhagen | Nelson | Rouson |
| Antone | Fresen | Núñez | Santiago |
| Artiles | Fullwood | Oliva | Saunders |
| Baxley | Gaetz | O'Toole | Schenck |
| Berman | Gibbons | Pafford | Schwartz |
| Beshears | Gonzalez | Passidomo | Slosberg |
| Bileca | Goodson | Patronis | Smith |
| Boyd | Grant | Perry | Spano |
| Brodeur | Hager | Peters | Stafford |
| Broxson | Harrell | Pilon | Stark |
| Caldwell | Holder | Porter | Steube |
| Campbell | Hood | Powell | Stewart |
| Castor Dentel | Hooper | Precourt | Stone |
| Clarke-Reed | Hudson | Pritchett | Taylor |
| Clelland | Hutson | Raburn | Thurston |
| Coley | Ingram | Rader | Tobia |
| Combee | Jones, M. | Rangel | Torres |
| Corcoran | Jones, S. | Raschein | Trujillo |
| Crisafulli | Kerner | Raulerson | Van Zant |
| Cruz | La Rosa | Ray | Waldman |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, B. |
| Danish | Magar | Renuart | Watson, C. |
| Davis | Mayfield | Richardson | Weatherford |
| Diaz, J. | McBurney | Roberson, K. | Williams, A. |
| Diaz, M. | McGhee | Rodrigues, R. | Wood |
| Dudley | Metz | Rodríguez, J. | Young |

Zimmermann

Nays—None

Votes after roll call:
Yeas—Edwards

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

CS/CS/HB 1393—A bill to be entitled An act relating to agricultural storage and shipping containers; amending s. 506.19, F.S.; authorizing the use of certain brands and marks on containers used for the storage and transport of agricultural and other commercial products to designate and distinguish ownership of the containers; creating s. 506.265, F.S.; providing definitions; providing requirements for the sale and purchase of a specified number of plastic bulk merchandise containers; providing that prosecuting attorneys may inspect records of purchase at any time upon reasonable notice; providing criminal and civil penalties; providing an exception for the operator of a waste management facility and certain tax-exempt entities; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 240

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodrigues, R. | Young |
| Dudley | Metz | Rodríguez, J. | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

CS/HB 975 was taken up after having been temporarily postponed earlier today.

CS/HB 975—A bill to be entitled An act relating to archeological sites and specimens; amending s. 267.12, F.S.; providing a definition for "water authority"; authorizing the Division of Historical Resources of the Department of State to issue permits for excavation, surface reconnaissance, and archaeological activities on land owned by a water authority; amending s. 267.13, F.S.; providing that specified activities relating to archaeological sites and specimens located upon land owned by a water authority are prohibited

and subject to penalties; authorizing the division to impose an administrative fine on and seek injunctive relief against certain entities; amending s. 1004.56, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title. The question recurred on final on passage of **CS/HB 975**. The vote was:

Session Vote Sequence: 241

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed and was immediately certified to the Senate.

HB 7079—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 741.313, F.S., relating to an exemption from public records requirements for certain information contained in records documenting an act of domestic violence or sexual violence which are submitted to an agency by an agency employee; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 242

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|-----------|---------------|-------------|-----------|
| Adkins | Castor Dentel | Fasano | Hutson |
| Ahern | Clarke-Reed | Fitzenhagen | Ingram |
| Albritton | Clelland | Fresen | Jones, M. |
| Antone | Coley | Fullwood | Jones, S. |
| Artiles | Combee | Gaetz | Kerner |
| Baxley | Crisafulli | Gibbons | La Rosa |
| Berman | Cruz | Gonzalez | Lee |
| Beshears | Cummings | Goodson | Magar |
| Bileca | Danish | Grant | Mayfield |
| Boyd | Davis | Hager | McBurney |
| Bracy | Diaz, J. | Harrell | McGhee |
| Brodeur | Diaz, M. | Holder | Metz |
| Broxson | Dudley | Hood | Moraitis |
| Caldwell | Eagle | Hooper | Moskowitz |
| Campbell | Edwards | Hudson | Nelson |

| | | | |
|-----------|---------------------|----------|--------------|
| Núñez | Raburn | Rouson | Thurston |
| Oliva | Rader | Santiago | Tobia |
| O'Toole | Rangel | Saunders | Torres |
| Pafford | Raschein | Schenck | Trujillo |
| Passidomo | Raulerson | Schwartz | Van Zant |
| Patronis | Ray | Slosberg | Waldman |
| Perry | Rehwinkel Vasilinda | Smith | Watson, B. |
| Peters | Renuart | Spano | Watson, C. |
| Pigman | Richardson | Stafford | Weatherford |
| Pilon | Roberson, K. | Stark | Williams, A. |
| Porter | Rodriguez, R. | Steube | Wood |
| Powell | Rodriguez, J. | Stewart | Young |
| Precourt | Rogers | Stone | Zimmermann |
| Pritchett | Rooney | Taylor | |

Nays—None

Votes after roll call:

Yeas—Corcoran

So the bill passed and was immediately certified to the Senate.

CS/HB 7087—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 259.1052, F.S.; providing for Lee County to retain ownership and assume responsibility for management of a specified portion of the Babcock Crescent B Ranch Florida Forever acquisition; requiring certain activities on the property to be compatible with working ranch and agricultural activities; amending s. 259.10521, F.S.; revising provisions relating to the citizen support organization for the Babcock Ranch Preserve and use of the ranch property; amending s. 259.1053, F.S.; revising provisions of the Babcock Preserve Ranch Act to conform to the termination or expiration of the management agreement and the dissolution of Babcock Ranch, Inc.; creating the Babcock Ranch Advisory Group; providing for the department to manage and operate the preserve; requiring certain fees to be deposited into the Incidental Trust Fund of the Florida Forest Service, subject to appropriation; directing the Fish and Wildlife Commission, in cooperation with the Florida Forest Service, to establish, implement, and administer certain activities and fees; requiring such fees to be deposited into the State Game Trust Fund of the Fish and Wildlife Conservation Commission and used for specified purposes; authorizing the Board of Trustees of the Internal Improvement Trust Fund to negotiate and enter into certain agreements and grant certain privileges, leases, concessions, and permits; providing for transfer of the Babcock Ranch, Inc., to the department upon dissolution of the corporation; providing for certain funds to revert to the Incidental Trust Fund of the Florida Forest Service upon such dissolution; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to

enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 586.15, F.S.; providing for the collection and deposit of costs related to enforcement of prohibitions against the adulteration or misbranding of honey; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program; limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the

Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 243

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moskowitz | Rooney |
| Ahern | Edwards | Nelson | Rouson |
| Albritton | Fasano | Núñez | Santiago |
| Antone | Fitzenhagen | Oliva | Saunders |
| Artiles | Fresen | O'Toole | Schenck |
| Baxley | Fullwood | Pafford | Schwartz |
| Berman | Gaetz | Passidomo | Slosberg |
| Beshears | Gibbons | Patronis | Smith |
| Bileca | Gonzalez | Perry | Spano |
| Boyd | Goodson | Peters | Stafford |
| Bracy | Grant | Pigman | Stark |
| Brodeur | Hager | Pilon | Steube |
| Broxson | Harrell | Porter | Stewart |
| Caldwell | Holder | Powell | Stone |
| Campbell | Hood | Precourt | Taylor |
| Castor Dentel | Hooper | Pritchett | Thurston |
| Clarke-Reed | Hudson | Raburn | Tobia |
| Clelland | Hutson | Rader | Torres |
| Coley | Ingram | Rangel | Trujillo |
| Combee | Jones, M. | Raschein | Van Zant |
| Corcoran | Jones, S. | Raulerson | Waldman |
| Crisafulli | Kerner | Ray | Watson, B. |
| Cruz | La Rosa | Rehwinkel Vasilinda | Watson, C. |
| Cummings | Lee | Renuart | Weatherford |
| Danish | Magar | Richardson | Williams, A. |
| Davis | Mayfield | Roberson, K. | Wood |
| Diaz, J. | McGhee | Rodriguez, R. | Young |
| Diaz, M. | Metz | Rodríguez, J. | Zimmermann |
| Dudley | Moraitis | Rogers | |

Nays—None

Votes after roll call:

Yeas—McBurney

So the bill passed, as amended, and was immediately certified to the Senate.

HB 7089—A bill to be entitled An act relating to public records; creating s. 595.409, Florida Statutes; providing an exemption from public records requirements for personal identifying information of an applicant for or participant in a school food and nutrition service program, as defined in s. 595.402, F.S., held by the Department of Agriculture and Consumer Services, the Department of Children and Families, or the Department of Education; providing for specified disclosure; providing for applicability; providing for legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 244

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|-----------|---------------|-------------|----------|
| Adkins | Bileca | Clarke-Reed | Danish |
| Ahern | Boyd | Clelland | Davis |
| Albritton | Bracy | Coley | Diaz, J. |
| Antone | Brodeur | Combee | Diaz, M. |
| Artiles | Broxson | Corcoran | Dudley |
| Baxley | Caldwell | Crisafulli | Eagle |
| Berman | Campbell | Cruz | Edwards |
| Beshears | Castor Dentel | Cummings | Fasano |

| | | | |
|-------------|-----------|---------------------|--------------|
| Fitzenhagen | Mayfield | Raburn | Spano |
| Fresen | McBurney | Rader | Stafford |
| Fullwood | McGhee | Rangel | Stark |
| Gibbons | Metz | Raschein | Steube |
| Gonzalez | Moraitis | Raulerson | Stewart |
| Goodson | Moskowitz | Ray | Stone |
| Grant | Nelson | Rehwinkel Vasilinda | Taylor |
| Hager | Núñez | Renuart | Thurston |
| Harrell | Oliva | Richardson | Tobia |
| Holder | O'Toole | Roberson, K. | Torres |
| Hood | Pafford | Rodriguez, R. | Trujillo |
| Hooper | Passidomo | Rodriguez, J. | Van Zant |
| Hudson | Patronis | Rogers | Waldman |
| Hutson | Perry | Rooney | Watson, B. |
| Ingram | Peters | Rouson | Watson, C. |
| Jones, M. | Pigman | Santiago | Weatherford |
| Jones, S. | Pilon | Saunders | Williams, A. |
| Kerner | Porter | Schenck | Wood |
| La Rosa | Powell | Schwartz | Young |
| Lee | Precourt | Slosberg | Zimmermann |
| Magar | Pritchett | Smith | |

Nays—1
Gaetz

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

CS/CS/HB 1147—A bill to be entitled An act relating to the Office of the Attorney General; amending s. 16.53, F.S.; revising the Legal Affairs Revolving Trust Fund with regard to which funds are required to be transferred to the General Revenue Fund unallocated; amending s. 409.9203, F.S.; providing that rewards for reporting Medicaid fraud shall be paid from the Operating Trust Fund; amending ss. 501.203 and 501.204, F.S.; revising obsolete dates; amending s. 681.102, F.S.; revising a definition; amending s. 681.108, F.S.; revising duties of the Department of Legal Affairs relating to manufacturer certification of dispute-settlement procedures; providing notice requirements for certain manufacturers seeking renewal of certification or ceasing operation of a certified procedure; amending s. 681.109, F.S.; revising notice requirements relating to the rejection of a dispute by the department; amending s. 760.34, F.S.; authorizing, rather than requiring, the office to bring an action for complaints involving discriminatory housing practices; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 245

Speaker Weatherford in the Chair.

Yeas—114

| | | | |
|---------------|-------------|-----------|---------------------|
| Adkins | Danish | Jones, M. | Porter |
| Ahern | Davis | Jones, S. | Powell |
| Albritton | Diaz, J. | Kerner | Precourt |
| Antone | Diaz, M. | La Rosa | Pritchett |
| Artiles | Dudley | Lee | Raburn |
| Baxley | Eagle | Magar | Rader |
| Berman | Fasano | Mayfield | Rangel |
| Beshears | Fitzenhagen | McBurney | Raschein |
| Bileca | Fresen | McGhee | Raulerson |
| Boyd | Fullwood | Metz | Ray |
| Bracy | Gaetz | Moraitis | Rehwinkel Vasilinda |
| Brodeur | Gibbons | Moskowitz | Renuart |
| Broxson | Gonzalez | Nelson | Richardson |
| Caldwell | Goodson | Núñez | Roberson, K. |
| Campbell | Grant | Oliva | Rodriguez, R. |
| Castor Dentel | Hager | O'Toole | Rodriguez, J. |
| Clarke-Reed | Harrell | Pafford | Rogers |
| Clelland | Holder | Passidomo | Rooney |
| Coley | Hood | Patronis | Rouson |
| Combee | Hooper | Perry | Santiago |
| Crisafulli | Hudson | Peters | Saunders |
| Cruz | Hutson | Pigman | Schenck |
| Cummings | Ingram | Pilon | Schwartz |

| | | | |
|----------|----------|-------------|--------------|
| Slosberg | Stewart | Trujillo | Williams, A. |
| Smith | Stone | Van Zant | Wood |
| Spano | Taylor | Waldman | Young |
| Stafford | Thurston | Watson, B. | Zimmermann |
| Stark | Tobia | Watson, C. | |
| Steube | Torres | Weatherford | |

Nays—None

Votes after roll call:

Yeas—Corcoran, Edwards

So the bill passed and was immediately certified to the Senate.

CS/CS/HB 1223—A bill to be entitled An act relating to deceptive and unfair trade practices; reordering and amending s. 501.2077, F.S.; providing definitions; authorizing a civil penalty for a person who willfully uses a deceptive or unfair trade act or practice against a military servicemember or the servicemember's spouse or dependent child in certain circumstances; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 246

Speaker Weatherford in the Chair.

Yeas—116

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Eagle | Moraitis | Rogers |
| Ahern | Edwards | Moskowitz | Rooney |
| Albritton | Fasano | Nelson | Rouson |
| Antone | Fitzenhagen | Núñez | Santiago |
| Artiles | Fresen | Oliva | Saunders |
| Baxley | Fullwood | O'Toole | Schenck |
| Berman | Gaetz | Pafford | Schwartz |
| Beshears | Gibbons | Passidomo | Slosberg |
| Bileca | Gonzalez | Patronis | Smith |
| Boyd | Goodson | Perry | Spano |
| Bracy | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

SB 628—A bill to be entitled An act relating to driver licenses; amending s. 322.142, F.S.; authorizing a justice, judge, or designated employee to access reproductions of driver license images as part of the official work of a court; revising and clarifying provisions; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 247

Speaker Weatherford in the Chair.

Yeas—115

| | | | |
|---------------|-------------|---------------------|--------------|
| Adkins | Edwards | Moskowitz | Rooney |
| Ahern | Fasano | Nelson | Rouson |
| Albritton | Fitzenhagen | Núñez | Santiago |
| Antone | Fresen | Oliva | Saunders |
| Artiles | Fullwood | O'Toole | Schenck |
| Baxley | Gaetz | Pafford | Schwartz |
| Berman | Gibbons | Passidomo | Slosberg |
| Beshears | Gonzalez | Patronis | Smith |
| Bileca | Goodson | Perry | Spano |
| Boyd | Grant | Peters | Stafford |
| Brodeur | Hager | Pigman | Stark |
| Broxson | Harrell | Pilon | Steube |
| Caldwell | Holder | Porter | Stewart |
| Campbell | Hood | Powell | Stone |
| Castor Dentel | Hooper | Precourt | Taylor |
| Clarke-Reed | Hudson | Pritchett | Thurston |
| Clelland | Hutson | Raburn | Tobia |
| Coley | Ingram | Rader | Torres |
| Combee | Jones, M. | Rangel | Trujillo |
| Corcoran | Jones, S. | Raschein | Van Zant |
| Crisafulli | Kerner | Raulerson | Waldman |
| Cruz | La Rosa | Ray | Watson, B. |
| Cummings | Lee | Rehwinkel Vasilinda | Watson, C. |
| Danish | Magar | Renuart | Weatherford |
| Davis | Mayfield | Richardson | Williams, A. |
| Diaz, J. | McBurney | Roberson, K. | Wood |
| Diaz, M. | McGhee | Rodriguez, R. | Young |
| Dudley | Metz | Rodriguez, J. | Zimmermann |
| Eagle | Moraitis | Rogers | |

Nays—None

So the bill passed and was immediately certified to the Senate.

Recessed

The House recessed at 6:43 p.m., to reconvene at 7:30 p.m.

Reconvened

The House was called to order by the Speaker at 7:30p.m. A quorum was present [Session Vote Sequence: 248].

Bills and Joint Resolutions on Third Reading

CS/HB 267—A bill to be entitled An act relating to real property liens and conveyances; amending s. 689.02, F.S.; deleting a requirement that blank spaces be included on a warranty deed to allow for entry of social security numbers of grantees on the deed; conforming provisions; amending s. 695.01, F.S.; providing that certain types of governmental or quasi-governmental liens on real property are valid and effectual against certain creditors or purchasers only if recorded in a specified manner; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 249

Speaker Weatherford in the Chair.

Yeas—112

| | | | |
|-----------|---------------|-------------|-----------|
| Adkins | Broxson | Davis | Gonzalez |
| Ahern | Caldwell | Diaz, J. | Goodson |
| Albritton | Campbell | Diaz, M. | Grant |
| Antone | Castor Dentel | Dudley | Hager |
| Artiles | Clarke-Reed | Eagle | Harrell |
| Baxley | Clelland | Edwards | Holder |
| Berman | Coley | Fasano | Hood |
| Beshears | Combee | Fitzenhagen | Hooper |
| Bileca | Crisafulli | Fresen | Hudson |
| Boyd | Cruz | Fullwood | Hutson |
| Bracy | Cummings | Gaetz | Ingram |
| Brodeur | Danish | Gibbons | Jones, M. |

| | | | |
|-----------|---------------------|---------------|--------------|
| Jones, S. | Passidomo | Richardson | Stewart |
| Kerner | Patronis | Roberson, K. | Stone |
| La Rosa | Perry | Rodriguez, R. | Taylor |
| Lee | Peters | Rodriguez, J. | Thurston |
| Magar | Pigman | Rogers | Tobia |
| Mayfield | Pilon | Rooney | Torres |
| McBurney | Porter | Rouson | Trujillo |
| McGhee | Powell | Santiago | Van Zant |
| Metz | Precourt | Schenck | Waldman |
| Moraitis | Raburn | Schwartz | Watson, B. |
| Moskowitz | Rangel | Slosberg | Watson, C. |
| Nelson | Raschein | Smith | Weatherford |
| Núñez | Raulerson | Spano | Williams, A. |
| Oliva | Ray | Stafford | Wood |
| O'Toole | Rehwinkel Vasilinda | Stark | Young |
| Pafford | Renuart | Steube | Zimmermann |

Nays—3

| | | |
|-----------|-------|----------|
| Pritchett | Rader | Saunders |
|-----------|-------|----------|

Votes after roll call:

Yeas—Corcoran

So the bill passed and was immediately certified to the Senate.

CS/CS/CS/HB 319—A bill to be entitled An act relating to community transportation projects; amending s. 163.3180, F.S., relating to transportation concurrency; revising and providing requirements for local governments that continue to implement a transportation concurrency system; revising provisions for applicants for rezoning or a permit for a planned development to satisfy concurrency requirements; providing for such provisions to apply to development agreements; authorizing a local government to accept contributions from multiple applicants to satisfy such requirements under certain conditions; requiring local governments to provide the basis upon which landowners will be assessed certain costs; encouraging local governments without transportation concurrency to adopt an alternative mobility funding system; prohibiting alternative systems from denying, timing, or phasing a development application process if the developer agrees to pay for identified transportation impacts; requiring mobility fees to comply with the dual rational nexus test; prohibiting alternative systems from holding new developments responsible for existing deficiencies; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 250

Speaker Weatherford in the Chair.

Yeas—108

| | | | |
|---------------|-------------|-----------|---------------------|
| Adkins | Diaz, J. | Mayfield | Ray |
| Ahern | Diaz, M. | McBurney | Rehwinkel Vasilinda |
| Albritton | Dudley | McGhee | Renuart |
| Antone | Eagle | Metz | Richardson |
| Artiles | Fasano | Moraitis | Roberson, K. |
| Baxley | Fitzenhagen | Moskowitz | Rodriguez, R. |
| Berman | Fresen | Nelson | Rooney |
| Beshears | Fullwood | Núñez | Rouson |
| Bileca | Gaetz | Oliva | Santiago |
| Boyd | Gibbons | O'Toole | Saunders |
| Bracy | Gonzalez | Passidomo | Schenck |
| Brodeur | Goodson | Patronis | Slosberg |
| Broxson | Grant | Perry | Smith |
| Caldwell | Hager | Peters | Spano |
| Campbell | Harrell | Pigman | Stafford |
| Castor Dentel | Holder | Pilon | Stark |
| Clarke-Reed | Hooper | Porter | Steube |
| Clelland | Hudson | Powell | Stewart |
| Coley | Hutson | Precourt | Stone |
| Combee | Ingram | Pritchett | Taylor |
| Crisafulli | Jones, M. | Raburn | Thurston |
| Cruz | Kerner | Rader | Tobia |
| Cummings | La Rosa | Rangel | Torres |
| Danish | Lee | Raschein | Trujillo |
| Davis | Magar | Raulerson | Van Zant |

| | | | |
|------------|-------------|--------------|------------|
| Waldman | Watson, C. | Williams, A. | Young |
| Watson, B. | Weatherford | Wood | Zimmermann |

Nays—5

| | | |
|---------|---------------|----------|
| Edwards | Pafford | Schwartz |
| Hood | Rodriguez, J. | |

Votes after roll call:

Yeas—Corcoran, Jones, S.

So the bill passed and was immediately certified to the Senate.

CS/HB 1279—A bill to be entitled An act relating to high school athletics; reenacting and amending s. 1002.20(17), F.S.; making technical changes; amending s. 1006.15, F.S.; revising criteria for student eligibility for participation in extracurricular activities; defining the term "public school"; authorizing certain students to participate in an extracurricular activity at another school subject to certain requirements; amending s. 1006.19, F.S.; providing requirements for an annual financial and compliance audit of an association that supervises interscholastic activities of public high schools; requiring that an association or corporation that supervises interscholastic activities of public high schools complete a report; specifying report requirements; requiring the report to be submitted to the Commissioner of Education and the Legislature annually; amending s. 1006.20, F.S.; providing that the designation of the Florida High School Athletic Association (FHSAA) as the governing nonprofit organization of athletics expires on a specified date; specifying that the FHSAA is subject to the provisions of chs. 119 and 286, F.S.; revising the criteria for bylaws, policies, or guidelines adopted by the FHSAA; requiring the FHSAA to complete a review by a specified date; requiring that the FHSAA submit a report to the Commissioner of Education, the Governor, and the Legislature; providing requirements for investigations and investigators; authorizing the assessment of fees to cover costs for certain proceedings; establishing notice requirements; providing procedures for student attendance and transfer approvals; providing for hearings before the Division of Administrative Hearings (DOAH); authorizing DOAH to assess fees payable by the nonprevailing party to administer the hearings; providing that the burden is on the FHSAA to demonstrate by clear and convincing evidence that a student is ineligible to participate in a high school athletic competition; requiring that the FHSAA pay costs and attorney fees in certain circumstances; revising the composition of the board of directors of the FHSAA and terms of office; revising what constitutes a quorum of the board of directors; providing that the appointment of the executive director is subject to Senate confirmation; providing restrictions on the salary, per diem, and travel expenses of the FHSAA's executive director; providing restrictions on the levy of dues and fees and the collection of contest receipts; providing authority to levy fines, penalties, and sanctions against schools and coaches; revising provisions relating to the FHSAA's representative assembly; providing that members of the FHSAA's public liaison advisory committee are entitled to reimbursement for per diem and travel expenses at the same rate as state employees; providing an effective date.

—was read the third time by title.

Representative Metz offered the following:

(Amendment Bar Code: 768111)

Amendment 2—Remove line 92 and insert:
identified in this section, or a student enrolled in a home education program, is presumed eligible to participate

Rep. Metz moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Metz offered the following:

(Amendment Bar Code: 596813)

Amendment 3—Remove line 217 and insert:

school that does not offer a particular extracurricular activity, or a student who is enrolled in a home education program,

Rep. Metz moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS/HB 1279**. The vote was:

Session Vote Sequence: 251

Speaker Weatherford in the Chair.

Yeas—89

| | | | |
|------------|-------------|------------|---------------|
| Adkins | Fitzenhagen | Metz | Rodrigues, R. |
| Ahern | Fresen | Moraitis | Rooney |
| Albritton | Fullwood | Moskowitz | Rouson |
| Artiles | Gibbons | Nelson | Santiago |
| Baxley | Gonzalez | Nuñez | Saunders |
| Bileca | Goodson | Oliva | Schenck |
| Boyd | Grant | O'Toole | Slosberg |
| Brodeur | Hager | Passidomo | Smith |
| Broxson | Holder | Patronis | Spano |
| Caldwell | Hood | Perry | Stafford |
| Campbell | Hooper | Peters | Steube |
| Clelland | Hudson | Pigman | Stewart |
| Coley | Hutson | Pilon | Stone |
| Combee | Ingram | Porter | Taylor |
| Corcoran | Jones, M. | Powell | Tobia |
| Crisafulli | Jones, S. | Precourt | Trujillo |
| Cummings | Kerner | Raburn | Van Zant |
| Davis | La Rosa | Raschein | Weatherford |
| Diaz, J. | Lee | Raulerson | Wood |
| Diaz, M. | Magar | Ray | Young |
| Eagle | Mayfield | Rehwinkel | Vasilinda |
| Edwards | McBurney | Renuart | |
| Fasano | McGhee | Richardson | |

Nays—26

| | | | |
|---------------|-----------|---------------|--------------|
| Antone | Danish | Roberson, K. | Waldman |
| Berman | Dudley | Rodriguez, J. | Watson, B. |
| Beshears | Gaetz | Rogers | Watson, C. |
| Bracy | Pafford | Schwartz | Williams, A. |
| Castor Dentel | Pritchett | Stark | Zimmermann |
| Clarke-Reed | Rader | Thurston | |
| Cruz | Rangel | Torres | |

So the bill passed, as amended, and was immediately certified to the Senate after engrossment.

CS/CS/HB 57—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 489.140, F.S.; clarifying funding requirements for the Florida Homeowners' Construction Recovery Fund; amending s. 468.631, F.S.; authorizing the department to transfer certain funds from the Professional Regulation Trust Fund to the Florida Homeowners' Construction Recovery Fund; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 252

Speaker Weatherford in the Chair.

Yeas—111

| | | | |
|-----------|---------------|-------------|----------|
| Adkins | Broxson | Danish | Gibbons |
| Ahern | Caldwell | Davis | Gonzalez |
| Albritton | Campbell | Diaz, J. | Goodson |
| Antone | Castor Dentel | Diaz, M. | Grant |
| Artiles | Clarke-Reed | Dudley | Hager |
| Berman | Clelland | Eagle | Holder |
| Beshears | Coley | Edwards | Hood |
| Bileca | Combee | Fasano | Hooper |
| Boyd | Crisafulli | Fitzenhagen | Hudson |
| Bracy | Cruz | Fullwood | Hutson |
| Brodeur | Cummings | Gaetz | Ingram |

| | | | |
|-----------|---------------------|---------------|--------------|
| Jones, M. | Passidomo | Richardson | Stewart |
| Jones, S. | Patronis | Roberson, K. | Stone |
| Kerner | Perry | Rodriguez, R. | Taylor |
| La Rosa | Peters | Rodriguez, J. | Thurston |
| Lee | Pigman | Rogers | Tobia |
| Magar | Pilon | Rooney | Torres |
| Mayfield | Porter | Rouson | Trujillo |
| McBurney | Powell | Santiago | Van Zant |
| McGhee | Precourt | Saunders | Waldman |
| Metz | Pritchett | Schenck | Watson, B. |
| Moraitis | Raburn | Schwartz | Watson, C. |
| Moskowitz | Rangel | Slosberg | Weatherford |
| Nelson | Raschein | Smith | Williams, A. |
| Núñez | Raulerson | Spano | Wood |
| Oliva | Ray | Stafford | Young |
| O'Toole | Rehwinkel Vasilinda | Stark | Zimmermann |
| Pafford | Renuart | Steube | |

Nays—None

Votes after roll call:

Yeas—Baxley, Corcoran

So the bill passed and was immediately certified to the Senate.

Motion to Adjourn

Rep. Crisafulli moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 9:00 a.m., Thursday, April 25, 2013, or upon call of the Chair. The motion was agreed to.

Messages from the Senate

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 113.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for HB 841.

Debbie Brown, Secretary

The above bill was ordered enrolled.

The Honorable Will Weatherford, Speaker

I am directed to inform the House of Representatives that the Senate has passed CS for SB 1842, as amended, and requests the concurrence of the House.

Debbie Brown, Secretary

By the Committees on Appropriations; and Banking and Insurance—

CS for SB 1842—A bill to be entitled An act relating to health insurance; creating s. 624.25, F.S.; providing that a provision of the Florida Insurance Code applies unless it conflicts with a provision of the Patient Protection and Affordable Care Act (PPACA); creating s. 624.26, F.S.; authorizing the Office of Insurance Regulation to review forms and perform market conduct examinations for compliance with PPACA and to report potential violations to the federal Department of Health and Human Services; authorizing the

Division of Consumer Services of the Department of Financial Services to respond to complaints related to PPACA and to report violations to the office and the Department of Health and Human Services; providing that certain determinations by the office or the Department of Financial Services are not subject to certain challenges under ch. 120, F.S.; amending s. 624.34, F.S.; conforming provisions to changes made by this act with respect to the registration of navigators under the Florida Insurance Code; providing a directive to the Division of Law Revision and Information; creating s. 626.995, F.S.; providing the scope of part XII, ch. 626, F.S.; creating s. 626.9951, F.S.; providing definitions; creating s. 626.9952, F.S.; requiring the registration of navigators with the Department of Financial Services; providing the purpose for such registration; creating s. 626.9953, F.S.; providing qualifications for registration; providing for submission of a written application; specifying fees; requiring an applicant to submit fingerprints and pay a processing fee; creating s. 626.9954, F.S.; specifying criteria for disqualification from registration; authorizing the department to adopt rules establishing disqualifying time periods; creating s. 626.9955, F.S.; requiring the department to have a publicly available list of navigators and to report certain information to the exchange; creating s. 626.9956, F.S.; requiring a navigator to notify the department of a change of specified identifying information; creating s. 626.9957, F.S.; prohibiting specified conduct; providing grounds for denial, suspension, or revocation of registration; providing for administrative fines and other disciplinary actions; creating s. 626.9958, F.S.; authorizing the department to adopt rules; amending s. 627.402, F.S.; providing definitions for “grandfathered health plan,” “nongrandfathered health plan,” and “PPACA”; amending s. 627.410, F.S.; providing an exception to the prohibition against an insurer issuing a new policy form after discontinuing the availability of a similar policy form when the form does not comply with PPACA; requiring the experience of grandfathered health plans and nongrandfathered health plans to be separated; providing that nongrandfathered health plans are not subject to rate review or approval by the office; specifying that such rates for such health plans must be filed with the office and are exempt from other specified rate requirements; requiring insurers and health maintenance organizations issuing such health plans to include a notice of the estimated impact of PPACA on monthly premiums with the first issuance or renewal of the policy; requiring the Financial Services Commission to adopt the notice format by rule; requiring the notice to be filed with the office for informational purposes; providing for the calculation of the estimated premium impact, which must be included in the notice; requiring the office, in consultation with the department, to develop a summary of the impact to be made available on their respective websites; providing for future repeal; amending s. 627.411, F.S.; providing that grounds for disapproval of rates do not apply to nongrandfathered health plans; providing for future repeal of this provision; amending s. 627.6425, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6484, F.S.; providing that coverage for policyholders of the Florida Comprehensive Health Association terminates on a specified date; requiring the association to provide specified assistance to policyholders in obtaining other health insurance coverage; requiring the association to notify policyholders of termination of coverage and information on how to obtain other coverage; requiring the association to determine the amount of a final assessment or to refund any surplus funds to member insurers, and to otherwise complete program responsibilities; repealing s. 627.64872, related to the Florida Health Insurance Plan; providing for the future repeal of ss. 627.648, 627.6482, 627.6484, 627.6486, 627.6488, 627.6489, 627.649, 627.6492, 627.6494, 627.6496, 627.6498, and 627.6499, F.S., relating to the Florida Comprehensive Health Association; amending s. 627.6571, F.S.; allowing an insurer to nonrenew coverage only for all nongrandfathered health plans under certain conditions; amending s. 627.6675, F.S.; specifying conditions for nonrenewal of a conversion policy; amending s. 627.6699, F.S.; adding and revising definitions used in the Employee Health Care Access Act; providing that a small employer carrier is not required to use gender as a rating factor for a nongrandfathered health plan; requiring carriers to separate the experience of grandfathered health plans and nongrandfathered health plans for determining rates; amending s. 641.31, F.S.; providing that nongrandfathered health plans are not subject to rate review or approval by

the office; providing for future repeal of this provision; amending s. 641.3922, F.S.; specifying conditions for nonrenewal of a health maintenance organization conversion contract; providing an appropriation; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Fullwood:

Yeas—April 17: 139

Rep. McGhee:

Yeas—April 17: 141

Rep. Patronis:

Yeas—April 12: 119

Cosponsors

HB 7—Caldwell, Smith

HM 151—Hager

HB 559—La Rosa

CS/CS/CS/HB 701—Metz

CS/HB 731—Fitzenhagen

CS/CS/HB 743—Broxson

HM 763—Artiles, Wood

CS/CS/CS/HB 803—Antone

CS/HM 1087—Stewart, Torres

CS/CS/CS/HB 1225—Raulerson

CS/HM 1389—Artiles

CS/HM 1405—Cruz, Lee, McBurney

CS/HB 7065—Passidomo

CS/CS/HB 7083—Grant, McBurney

HR 9127—Boyd

Withdrawals as Cosponsor

CS/CS/HB 7057—[Campbell](#)

Enrolling Reports

CS/CS/CS/HB 569 has been enrolled, signed by the required constitutional officers, and presented to the Governor on April 24, 2013.

Robert L. "Bob" Ward, Clerk

Excused

Rep. Workman after 2:33 p.m.

The following Conference Committee Managers were excused in order to conduct business with their Senate counterparts:

SB 1500, SB 1502, SB 1810, SB 1504, CS for SB 1762, SB 1506, and SB 1802 to serve with Rep. McKeel, Chair, and Rep. Crisafulli; At-Large: Reps. Coley, Gibbons, Gonzalez, Holder, M. Jones, O'Toole, Precourt, Rouson, Schenck, Thurston, Waldman, Workman, and Young; HB 5501 and HB 5503, House Agriculture & Natural Resources/Senate General Government—Rep. Albritton, Chair, and Reps. Pafford, Raburn, Raschein, Smith, Stewart, Stone, and C. Watson; SB 1514, CS for CS for SB 878, and CS for CS for SB 1720, House Education/Senate Education—Rep. Fresen, Chair, and Reps. Adkins, Ahern, Bileca, Castor Dentel, Fitzenhagen, S. Jones, Nuñez, Perry, Pigman, Reed, and Taylor; CS for SB 406 and SB 1516, House Finance & Tax/Senate Finance and Tax—Rep. Workman, Chair, and Reps. Caldwell, Hager, Raulerson, J. Rodríguez, Santiago, Stark, and Torres; HB 5401, House Government Operations/Senate General Government—Rep. Ingram, Chair, and Reps. Antone, Broxson, Clarke-Reed, Harrell, Hood, Peters, and R. Rodriguez; SB 1520, SB 1518, and CS for CS for SB 1660, House Health Care/Senate Health and Human Services—Rep. Hudson, Chair, and Reps. Brodeur, Cruz, Cummings, J. Diaz, Oliva, Patronis, Richardson, and Wood; SB 1512, and SB 1508, SB 1510, House Justice/Senate Criminal and Civil Justice—Rep. McBurney, Chair, and Reps. Campbell, Danish, La Rosa, Mayfield, Metz, Passidomo, Pilon, and Spano; SB 1522, House Transportation & Economic Development/Senate Transportation, Tourism and Economic Development—Rep. Hooper, Chair, and Reps. Artiles, Davis, Goodson, McGhee, Porter, Powell, Ray, and Rogers.

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 8:40 p.m., to reconvene at 9:00 a.m., Thursday, April 25, 2013, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Wednesday, April 24, 2013

| | | | |
|-------------|---|-------------|--|
| CS for SB | 2 — Substituted for CS/HB 7131; Read 2nd time; Amendment 135991 Failed; Amendment 022643 Failed; Amendment 041405 Failed; Amendment 309245 Failed; Amendment 838193 Failed; Amendment 005347 adopted; Read 3rd time; CS passed as amended; YEAS 117, NAYS 0; Amendment 138921 adopted | CS/CS/HB | 411 — Read 3rd time; CS passed as amended; YEAS 113, NAYS 2 |
| CS for SB | 4 — Substituted for HB 7133; Read 2nd time; Read 3rd time; CS passed; YEAS 112, NAYS 1 | CS/CS/HB | 437 — Read 3rd time; CS passed; YEAS 113, NAYS 0 |
| CS/CS/HB | 49 — Read 2nd time; Amendment 277001 adopted; Read 3rd time; CS passed as amended; YEAS 112, NAYS 3 | CS/CS/CS/HB | 487 — Read 2nd time; Placed on 3rd reading |
| CS/CS/HB | 57 — Read 3rd time; CS passed; YEAS 111, NAYS 0 | CS/CS/CS/HB | 569 — Concurred in 1 amendment(s); CS passed as amended; YEAS 79, NAYS 34; Amendment 481688 Concur |
| CS/CS/HB | 85 — Read 2nd time; Amendment 605279 adopted; Amendment 154099 adopted; Placed on 3rd reading | SB | 628 — Read 3rd time; Passed; YEAS 115, NAYS 0 |
| CS/HB | 109 — Substituted CS/SB 364; Laid on Table, refer to CS/SB 364 | HB | 683 — Read 3rd time; Passed; YEAS 113, NAYS 1 |
| CS/HB | 135 — Read 2nd time; Placed on 3rd reading | CS/CS/HB | 713 — Read 3rd time; CS passed; YEAS 114, NAYS 1 |
| CS/HB | 157 — Read 3rd time; CS passed; YEAS 115, NAYS 0 | CS/CS/HB | 743 — Read 3rd time; CS passed as amended; YEAS 92, NAYS 19 |
| CS/CS/HB | 159 — Temporarily postponed, on 2nd Reading | CS/HB | 745 — Read 3rd time; Temporarily postponed on 3rd reading; On Unfinished Business |
| CS/HB | 163 — Read 3rd time; CS passed; YEAS 115, NAYS 0 | CS/HB | 783 — Read 3rd time; CS passed; YEAS 114, NAYS 0 |
| CS/CS/HB | 217 — Read 3rd time; CS passed; YEAS 114, NAYS 0 | CS/CS/CS/HB | 785 — Read 2nd time; Amendment 901059 adopted; Placed on 3rd reading |
| CS/CS/HB | 229 — Read 2nd time; Amendment 506909 adopted; Read 3rd time; CS passed as amended; YEAS 114, NAYS 1 | CS/HB | 795 — Read 3rd time; CS passed; YEAS 114, NAYS 0 |
| CS/CS/HB | 247 — Temporarily postponed, on 3rd Reading | CS/CS/HB | 833 — Read 3rd time; CS passed; YEAS 113, NAYS 0 |
| CS/HB | 249 — Temporarily postponed, on 3rd Reading | CS/HB | 837 — Read 3rd time; CS passed; YEAS 116, NAYS 0 |
| CS/HB | 267 — Read 3rd time; CS passed; YEAS 112, NAYS 3 | CS/HB | 903 — Read 2nd time; Amendment 127075 adopted; Placed on 3rd reading |
| CS/CS/CS/HB | 319 — Read 3rd time; CS passed; YEAS 108, NAYS 5 | CS/CS/HB | 939 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0 |
| CS/CS/CS/HB | 321 — Read 2nd time; Placed on 3rd reading | CS/HB | 969 — Read 2nd time; Placed on 3rd reading |
| CS/CS/HB | 347 — Read 3rd time; CS passed as amended; YEAS 111, NAYS 4 | CS/CS/CS/HB | 973 — Read 3rd time; CS passed; YEAS 115, NAYS 0 |
| CS for SB | 354 — Read 3rd time; CS passed as amended; YEAS 87, NAYS 29 | CS/HB | 975 — Read 3rd time; CS passed; YEAS 116, NAYS 0 |
| CS/CS/HB | 359 — Read 3rd time; CS passed; YEAS 114, NAYS 2 | CS/CS/CS/HB | 999 — Read 2nd time; Amendment 784427 adopted; Placed on 3rd reading; Amendment 098311 adopted |
| CS/HB | 361 — Read 3rd time; CS passed; YEAS 112, NAYS 0 | CS/HB | 1067 — Read 3rd time; CS passed; YEAS 116, NAYS 0 |
| CS for SB | 364 — Substituted for CS/HB 109; Read 2nd time; Placed on 3rd reading | CS/HB | 1071 — Read 3rd time; CS passed as amended; YEAS 115, NAYS 1 |
| | | CS/CS/CS/HB | 1083 — Read 3rd time; CS passed; YEAS 102, NAYS 13 |
| | | CS/CS/HB | 1085 — Read 3rd time; CS passed; YEAS 97, NAYS 16 |
| | | CS/HM | 1087 — Substituted SM 1266; Laid on Table, refer to SM 1266 |
| | | CS/CS/HB | 1093 — Read 3rd time; CS passed; YEAS 116, NAYS 0 |

| | | | |
|-------------|--|----------|---|
| CS/CS/HB | 1109 — Read 3rd time; CS passed; YEAS 116, NAYS 0 | CS/HB | 7119 — Read 2nd time; Amendment 133297 adopted; Amendment 488487 adopted; Amendment 594825 adopted; Amendment 549617 adopted; Placed on 3rd reading; Amendment 930633 adopted as amended |
| CS/CS/CS/HB | 1125 — Read 2nd time; Placed on 3rd reading | | |
| CS/CS/CS/HB | 1145 — Read 3rd time; CS passed; YEAS 115, NAYS 0 | | |
| CS/CS/HB | 1147 — Read 3rd time; CS passed; YEAS 114, NAYS 0 | CS/HB | 7121 — Read 2nd time; Amendment 774059 adopted; Placed on 3rd reading |
| CS/CS/HB | 1223 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0 | CS/CS/HB | 7125 — Read 2nd time; Amendment 475415 adopted; Amendment 369763 adopted; Amendment 830997 adopted; Amendment 756541 adopted; Amendment 201701 adopted; Amendment 676009 adopted; Placed on 3rd reading |
| HM | 1253 — Read 2nd time; Adopted | | |
| SM | 1266 — Substituted for CS/HM 1087; Read 2nd time; Adopted | | |
| CS/HB | 1279 — Read 3rd time; Amendment 768111 adopted; Amendment 596813 adopted; CS passed as amended; YEAS 89, NAYS 26 | CS/CS/HB | 7127 — Read 2nd time; Amendment 144205 adopted; Amendment 951643 adopted; Amendment 529493 adopted; Amendment 302427 adopted; Placed on 3rd reading |
| CS/CS/HB | 1393 — Read 3rd time; CS passed; YEAS 116, NAYS 0 | CS/HB | 7129 — Read 3rd time; CS passed; YEAS 115, NAYS 0; Amendment 667893 Failed |
| CS/HB | 7019 — Read 3rd time; CS passed as amended; YEAS 115, NAYS 0 | CS/HB | 7131 — Substituted CS/SB 2; Laid on Table, refer to CS/SB 2 |
| CS/HB | 7025 — Read 2nd time; Amendment 566523 adopted; Amendment 232465 adopted; Placed on 3rd reading | HB | 7133 — Substituted CS/SB 4; Laid on Table, refer to CS/SB 4 |
| HB | 7079 — Read 3rd time; Passed; YEAS 115, NAYS 0 | CS/HB | 7135 — Read 3rd time; CS passed; YEAS 113, NAYS 0 |
| CS/CS/HB | 7083 — Read 2nd time; Placed on 3rd reading; Amendment 225893 adopted | HB | 7143 — Read 3rd time; Passed; YEAS 113, NAYS 0 |
| CS/HB | 7087 — Read 3rd time; CS passed as amended; YEAS 115, NAYS 0 | HB | 7145 — Read 3rd time; Passed; YEAS 116, NAYS 0 |
| HB | 7089 — Read 3rd time; Passed; YEAS 115, NAYS 1 | HB | 7157 — Read 2nd time; Placed on 3rd reading |
| HB | 7103 — Read 2nd time; Placed on 3rd reading | CS/HB | 7165 — Read 3rd time; CS passed as amended; YEAS 114, NAYS 0 |

JOURNAL OF THE HOUSE OF REPRESENTATIVES

DAILY INDICES FOR

April 24, 2013

NUMERIC INDEX

| | | | |
|-----------------------|----------|------------------------|----------|
| CS for SB 2 | 744, 760 | CS/CS/HB 939 | 814 |
| CS for SB 4 | 760 | CS/HB 969 | 763 |
| HB 7 | 826 | CS/CS/CS/HB 973 | 810 |
| CS/CS/HB 49 | 760-761 | CS/HB 975 | 819 |
| CS/CS/HB 57 | 824 | CS/CS/CS/HB 999 | 764 |
| CS/CS/HB 85 | 761 | CS/HB 1067 | 815 |
| SM 1266 | 766 | CS/HB 1071 | 815 |
| CS/HB 135 | 798 | CS/CS/CS/HB 1083 | 809 |
| HM 151 | 826 | CS/CS/HB 1085 | 809 |
| CS/HB 157 | 814 | CS/HM 1087 | 826 |
| CS/CS/HB 159 | 763 | CS/CS/HB 1093 | 816 |
| CS/HB 163 | 810 | CS/CS/HB 1109 | 816 |
| CS/CS/HB 217 | 818 | CS/CS/CS/HB 1125 | 804 |
| CS/CS/HB 229 | 804-805 | CS/CS/CS/HB 1145 | 817 |
| CS/HB 267 | 823 | CS/CS/HB 1147 | 822 |
| CS/CS/CS/HB 319 | 823 | CS/CS/HB 1223 | 822 |
| CS/CS/CS/HB 321 | 798 | CS/CS/CS/HB 1225 | 826 |
| CS/CS/HB 347 | 814 | CS/HB 1279 | 824 |
| CS for SB 354 | 812 | CS/HM 1389 | 826 |
| CS/CS/HB 359 | 812 | CS/CS/HB 1393 | 819 |
| CS/HB 361 | 807 | CS/HM 1405 | 826 |
| CS for SB 364 | 762 | CS for SB 1842 | 825 |
| CS/CS/HB 411 | 818 | CS/HB 7019 | 808 |
| CS/CS/HB 437 | 808 | CS/HB 7025 | 766 |
| CS/CS/CS/HB 487 | 763 | CS/CS/HB 7057 | 826 |
| HB 559 | 826 | CS/HB 7065 | 826 |
| CS/CS/CS/HB 569 | 782, 797 | HB 7079 | 820 |
| SB 628 | 822 | CS/CS/HB 7083 | 798, 826 |
| HB 683 | 813 | CS/HB 7087 | 820 |
| CS/CS/CS/HB 701 | 826 | HB 7089 | 821 |
| CS/CS/HB 713 | 818 | HB 7103 | 768 |
| CS/HB 731 | 826 | CS/HB 7119 | 768 |
| CS/CS/HB 743 | 813, 826 | CS/HB 7121 | 772 |
| CS/HB 745 | 813 | CS/CS/HB 7125 | 773 |
| HM 763 | 826 | CS/CS/HB 7127 | 777 |
| CS/HB 783 | 807 | CS/HB 7129 | 811 |
| CS/CS/CS/HB 785 | 798 | CS/HB 7135 | 819 |
| CS/HB 795 | 812 | HB 7143 | 806 |
| CS/CS/CS/HB 803 | 826 | HB 7145 | 817 |
| CS/CS/HB 833 | 805 | HB 7157 | 798 |
| CS/HB 837 | 811 | CS/HB 7165 | 806 |
| CS/HB 903 | 763 | HR 9127 | 826 |

SUBJECT INDEX

| | | | |
|--------------------------------|-----|--|-----|
| 825 Cosponsors | 826 | Reports of Standing Committees and Subcommittees | 743 |
| Explanation of Vote | 798 | Special Orders | 798 |
| Messages from the Senate | 825 | Votes After Roll Call | 826 |
| | | Withdrawals as Cosponsor | 826 |